

EXTENSIONS OF REMARKS

AN AMENDMENT TO PROVIDE A PERMANENT EXTENSION OF THE TRANSITION RULE FOR CERTAIN PUBLICLY TRADED PARTNERSHIPS

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. HOUGHTON. Mr. Speaker, I am joined today by several of my colleagues, including Mr. KLECZKA, Mr. JACOBS, Mr. CRANE, Mrs. KENNELLY, Mr. SHAW, Mr. HERGER, Mr. BUNNING, Mr. MCCRERY, and Mr. NEAL, in introducing legislation to permanently extend the 10-year grandfather for publicly traded partnerships [PTP's]. This provision applies to those PTP's that were in existence at the time the Omnibus Budget Reconciliation Act of 1987 was passed.

Publicly traded partnerships, sometimes called master limited partnerships, were first created in the early 1980's. PTP's combined the traditional limited partnership form with the ability to have the partnership units freely traded on a stock exchange or over the counter.

In the 1987 act, Congress enacted section 7704 of the Internal Revenue Code. Section 7704 provides that PTP's generally will be taxed as corporations. Section 7704 does not apply, however, to PTP's where 90 percent or more of their income is qualifying income, such as from timber, oil and gas, and real estate. In addition, other PTP's in existence when section 7704 was enacted were grandfathered, but only for 10 years, through 1997. Our bill would extend this grandfather provision permanently.

APPROPRIATENESS OF THE 10-YEAR GRANDFATHER

We believe the 10-year limit on the grandfather for existing PTP's was inappropriate and unnecessary given the purpose for which section 7704 was enacted. According to the committee reports accompanying the 1987 act, section 7704 was intended to stop the "long-term erosion of the corporate tax base." Generally, the concern was that much of corporate America would convert to PTP's, thereby causing corporate tax revenues to decline. There appears to have been no serious debate in 1987 over whether limiting the duration of the grandfather was necessary to address these concerns.

There is no question that our purpose in enacting section 7704 was fully achieved by prospective application of that section. The movement toward use of PTP's had barely begun by 1987; there were only approximately 120 in existence at that time. It was the snowball effect of future conversions that we sought to prevent. Prospective application of section 7704 stopped that snowball effect dead in its tracks. Permanently grandfathering all existing PTP's would have had no effect on this goal whatsoever. Conversely, limiting the duration of the grandfather to 10 years was unnecessary to achieve our purpose.

Since prospective application of section 7704 achieved our purpose, we believe Con-

gress erred in 1987 by limiting the grandfather to 10 years. Unless we reverse that decision before it takes effect in 1998, those PTP's still in existence and their owners will face serious hardships with no corresponding benefit to the Government or the tax system. Our bill merely asks Congress to rethink its decision before any damage is done.

I can foresee that some people might view this proposal as special interest legislation. I strongly disagree. Had we chosen in 1987 to provide a permanent grandfather for existing PTP's, no one would have batted an eye. Instead, a permanent grandfather in 1987 would have been an appropriate decision for Congress to make based on the extent to which existing PTP's relied on the law that was in effect when they were created. The fact that the decision was initially made in 1987 should not stop us from revisiting the issue so long as the original decision has not yet taken effect.

We in Congress are called on to make decisions about appropriate transition relief in virtually every tax bill. Indeed, these types of decisions are ones that are particularly suited for the Members of Congress to make, since they generally involve the balancing of competing interests rather than technicalities of tax law.

Our proposal is different only because it is separate in time from the 1987 act. On the other hand, the proposal is generic in scope, applying to any PTP fitting the criteria. We believe that it is fair, before the 10-year grandfather expires, to determine whether that decision was the proper one or whether a permanent rule would be better.

Generally, Congress does not place time limits on grandfather provisions, other than what might be called project-specific provisions. The reasoning behind this policy is that if taxpayers were justified in relying on the law in effect at the time the taxpayer took action, then the taxpayers deserve relief from the change in the law, not just for a limited period but as long as the taxpayer's circumstances do not change.

REASONS FOR A PERMANENT GRANDFATHER

Some may wonder why these PTP's should be permanently grandfathered. After all, if they were taking advantage of so large a loophole that Congress had to shut it down, why should they benefit merely because they got in under the wire?

The truth is that these PTP's did not take advantage of an egregious loophole. PTP's are structured no differently from other types of limited partnerships. They merely combined that basic limited partnership structure with the ability for the units to be readily traded. The problem was thus not a loophole in the tax code that needed to be closed retroactively.

These PTP's relied on the law in effect before passage of the 1987 act, and that reliance was completely reasonable. The first proposal directed toward PTP's surfaced in 1984, but President Reagan chose not to forward it to Congress in his tax reform recommendations and we did not independently take up the idea in 1986. It was only when Treasury proposed section 7704 in mid-1987

as part of a list of acceptable revenue raisers that the proposal received any official endorsement. By that time, most of the affected PTP's were already in existence.

This raises what I believe is the most important issue in this debate: fairness to the PTP's and, more importantly, their owners. The process of converting from a corporation to a PTP is a costly and time-consuming one, easily taking over 1 year. The conversion process involved consultation with investment bankers, appraisals, planning by corporate finance, securities and tax lawyers, multiple filings with the SEC and State securities agencies, proxy statements and shareholder votes, etc. This process would not have been started or completed had there been any reasonable prospect that a change in the tax law would have applied retroactively or after a limited period of time.

To make matters worse, many of these same costs will be incurred once again if the 10-year grandfather is not made permanent. Grandfathered PTP's will be forced to convert to corporate form on January 1998. To do so, however, will require lengthy planning, and the same investment banking advice, appraisals, and attorney fees. The need for extensive, advance planning makes it essential that the matter be resolved this year.

More important is the effect that loss of the grandfather will have on PTP investors. It is a virtual certainty that the value of PTP units will be affected adversely if the grandfather expires. So it will be the investors that suffer most. And who are these investors? Most are average, middle-class taxpayers who have invested in PTP units because of their high yield, many before the 1987 act was passed.

We do not achieve any tax policy goal by retaining the 10-year grandfather. That goal was fully achieved by making section 7704 apply prospectively. Instead, all we would accomplish by retaining the 10-year grandfather would be harm to these PTP's and their investors. There is no doubt what our decision should be.

In conclusion I want to note the diversity of the PTP's that would benefit from permanent extension of the grandfather. The PTP's affected are involved in a wide variety of industries, from motels and restaurants to chemicals, financial advising, and macadamia nuts. Undoubtedly, these businesses operate in many of our districts. Of course, our districts are the homes to the individual investors in these PTP's. The most recent count indicates that there are well over 300,000 individual investors.

The 10-year grandfather hangs like a sword of Damocles over each one of these PTP's. We in Congress have the ability to remove that sword and there is no reason why we should not do so. We urge our colleagues to join with us to support this bill.

Thank you, Mr. Speaker.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ACADEMY NOMINATIONS FOR U.S.
CITIZENS IN THE CNMI

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. UNDERWOOD. Mr. Speaker, today I am introducing legislation that will provide the U.S. citizens of the Commonwealth of the Northern Mariana Islands with the same opportunity to attend the U.S. military academies as is enjoyed by the people of Guam and other non-State areas of our country.

This bill authorizes the Northern Marianas Resident Representative, the official elected at large to represent the Commonwealth before the Federal Government, to nominate candidates to fill one vacancy at each of the three military academies.

Currently, the people of the Northern Marianas face restricted access to West Point, Annapolis, and Colorado Springs. As U.S. citizens, they are eligible for nomination to the military academies. The Northern Marianas, however, is without representation here in Congress. Therefore, the normal route to academy appointments—nomination by a Member—is barred to these Americans.

The proposal to rectify this situation has received considerable prior study. Extending the authority for nominations was recommended in 1985 by the Commission on Federal Laws that Congress established to determine what Federal statutes should apply to the Northern Marianas.

There is also precedent for this authority to be granted to elected officials who are not Members of Congress. Under present law, the Governor of Puerto Rico can make nominations, as could the Governor of the Canal Zone before that area was returned to Panama.

Passage of the bill that I am introducing today will help ensure that the youth of the Northern Marianas have equal access to the important opportunity our military academies provide for both higher education and service to our Nation.

THE PASSING OF MRS. AMY BULL
CRIST

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. GILMAN. Mr. Speaker, it is with deep regret that I inform our colleagues of the passing of a remarkable woman Orange County's first lady, Mrs. Amy Bull Crist of Orange County, NY, this past weekend, at the age of 89.

Amy Bull Crist born on March 9, 1906 in Brick Castle, her home in Stony Ford, NY, was a lifelong resident of Orange County. The building in which she was born was built by William Bull and Sarah Wells, her direct ancestors, who in 1718 became the first European couple married in what is now Orange County, NY.

As the daughter of Orange County's oldest and most illustrious family, Amy Bull Crist could have opted for a life of leisure. Instead, at an early age she determined to devote her life to the service of others.

When she was only 18—soon after her 1924 graduation from Middletown High School—she was invited to try her hand at teaching. Weary of farm work on the family estate, she eagerly grasped the opportunity to teach and within the next 15 years, as she taught in one-room schoolhouses, at Goosetown School in Hamptonburgh and at Cross Roads School in Montgomery, she became known county wide as one of the most outstanding educators in the region. Amy looked after her students like a doting parent, arranging dental and eyeglass appointments for those students who needed it, and in many ways making her mark upon the lives whose education was entrusted to her expertise and compassion. Subsequently she served as principal at Goodwill School. By the time of her retirement in the mid-1970's, Amy had risen to become our region's top education administrator, serving not only as district superintendent of schools for Orange and Ulster County, but also as district superintendent and executive officer for the Board of Cooperative Educational Services [BOCES].

Recognizing that our young people are our most valuable resource, Amy determined that education was the most worthwhile endeavor to which she could devote herself. Her lifelong career as an educator was a living testament to those who cherish this investment in our future. As a grade school teacher, a school superintendent, and as a trustee of our Orange County Community College which she was so instrumental in funding, Amy Bull Crist touched the lives of thousands of students. She served as founder and first superintended of Orange-Ulster BOCES for many years prior to her 1974 retirement, and the affection and respect in which the community held her is underscored by the fact that the BOCES complex is named in her honor.

As was typical of Amy's style, she never satisfied herself by resting on her laurels. She continued to teach evening and summer classes at New York University, the State University College at New Paltz, and at Orange County Community College in Middletown.

Amy was one of the last of her generation: a generation which saw Orange County progress from the farming area which her family helped to pioneer to the fastest-growing region of New York State. Throughout the many changes which Amy witnessed in her lifetime, she remained constant in her beliefs that those who are more fortunate have a moral responsibility to help neighbors enjoy more productive lives and live up to their potential.

Amy's philanthropic and civic endeavors in so many important activities, including Occupations, Inc., the Orange County Mental Health Association, the Goshen Historic Track, the proposed Youth Facility for the Town of Wallkill, the American Heart Association, and so many other worthwhile endeavors, helped make a better life for all of us.

Amy also remained active with the Arboretum Committee for Orange County Park; the Montgomery Grange; the Presbyterian Church in Hamptonburgh; and the Emeriti Association of Orange County Community College. She was an honorary member of the Order of the Eastern Star in Walden. She organized the Amy Bull Crist Reading Association, the Amy Bull Crist Youth-in-Government Association, and the Orange County Farmers Association and Museum.

Emanuel Axelrod, who succeeded Army as Orange-Ulster BOCES superintendent after her retirement in 1974, said upon her passing: "She never wavered when she felt she was right. I will never forget her. She was one of the most outstanding people I've known."

Amy was chairman of the Orange County museums—Hill Hold and Brick House—the original lands and buildings of her family. She was well known for presiding at the well-publicized Bull family summer reunions which brought together her many relatives from throughout the United States and the world and which on occasion I had the pleasure of attending.

Amy, the widow of the late Clarence H. Crist, is survived by a large family including her sister, Molly B. Bazemore of Augusta, GA; two nieces, including Mary Ann Cohen of Goshen, NY; four nephews, including Michael K. Brown of Campbell Hall, NY, and William Bull Brown of Middletown; 19 great-nieces and great-nephews; and 13 great-great nieces and great-great nephews.

I often relied upon Amy for advice and assistance in many of my responsibilities in the Congress. She always had a patient ear, a keen insight, and a helping hand.

Amy left us this past weekend; peacefully in her sleep at her home, Brick Castle—the same home in which she was born 89 years earlier!

Our county, our region, and our State will long miss Orange County's First Lady, Amy Bull Crist.

Mr. Speaker, I call upon all of my colleagues to join with me in paying tribute to a truly remarkable lady.

A TRIBUTE TO JAMES SMITH

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Mr. James Smith of Ridgecrest, CA. Jim, a dedicated professional and longtime community activist, is retiring as the manager of Administration for North American Chemical Co. A tribute dinner will be held in his honor on June 2 to honor his more than 40 years of support to the chemical industry.

Jim Smith graduated from Loyola University in Los Angeles in 1954 and served 2 years in the U.S. Army Corps of Engineers. Following graduation, Jim went to work for American Potash and Chemical Corp. where he served in supervisory and management positions at plants across the country. In 1967, Jim went to work for Kerr McGee Chemical Corp. of Trona where for 23 years he fulfilled critical functions relating to labor relations, environmental relations, and community relations. In 1990, Jim went to work at North American Chemical Co. where he has served as manager of Administration and Regulatory Affairs and most recently, as special assistant for public affairs.

To say the least, Jim has played an extraordinary and active role in our community. He is a board member of the Fire Mountain Foundation, the Ridgecrest Chamber of Commerce, the Chemical Industry Council of California,

the Desert Empire Fair, and the Maturango Museum. In addition, he has also served as an elected trustee of the Trona Joint Unified School District, and as a board member for the Council on Substance Abuse Awareness and the Searles Valley Community Service Council. Jim is also a past member of the San Bernardino County Air Pollution Control Advisory Council and a member of the Kern County Air Pollution Central District Hearing Board.

Mr. Speaker, I ask that you join me, our colleagues, Jim's wife, Grace, and his family and many friends in recognizing his many fine achievements and selfless contributions. Over the years, Jim Smith has touched the lives of many people and it is only fitting that the House of Representatives recognize him today.

CONGRATULATIONS TO THE PATCHOGUE FIRE DEPARTMENT

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. FORBES. Mr. Speaker, I rise today to congratulate the Patchogue Fire Department on 115 years of excellent service to the residents of the village of Patchogue and the East Patchogue Fire Protection District. I would like to extend my applause to the Southern New York Volunteer Firemen's Association on celebrating the 100th anniversary of their convention.

The Patchogue Fire Department has established a tradition as one of the oldest and finest fire departments in New York. The firemen of Patchogue are among the best trained and bravest fire fighters in New York as well. These firemen regularly risk their lives to protect and serve the people of Patchogue. Upon examining their impeccable service record, it is no surprise that the Patchogue Fire Department has been protecting the village of Patchogue so well for 115 years.

On Friday, June 9, 1995, the men and women of the Patchogue Fire Department will celebrate at the 100th Annual Convention of the Southern New York Volunteer Firemen's Association. This association, which represents the volunteer and exempt firemen of the nine southern counties, stands as evidence that New York does in fact have among the best firemen in the Nation.

REMEMBERING A HERO, HUMBLE SERVANT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. ROGERS. Mr. Speaker, the Army Corps of Engineers, our southern region and the nation lost a humble servant, war hero and good friend when Mitchell "Stoney" Merriman died last week from complications of an inoperable brain tumor.

Originally from White County, Tennessee, Stoney wrote the book on public relations—literally. A published author, newsman and writer, Stoney had such a creative and innovative style that he wrote a how-to book for the Corps that is used nationwide today.

Since 1987, he managed the Army Corps Nashville District's public information, media relations and community relations program in a 7-State area. I cannot think of anyone who knew how to promote an event better.

In Corps events and groundbreakings in my district, Stoney always amazed us with something new, creative and exciting. His style blazed a trail for all to follow and his legacy will be long remembered.

Stoney was more than just a top-notch public relations man. He was a veteran newsman, and even more importantly, a war hero.

During his 23 years of service in the U.S. Marine Corps, he served two combat tours in Vietnam, where he served as a combat journalist. Among his awards were two Purple Hearts, Legion of Merit Medal, Meritorious Service Medal, the Bronze Star with Combat "V" Medal and several other awards.

As a newsman, Stoney started in the military, but carried on his tradition of excellence at the "The Smithville Review" and then as publisher and editor of the "Carthage, TN Courier."

I am proud of Stoney Merriman. He was committed, honest and hard working in everything he did—whether it was a Corps event placing his life in harm's way to protect and defend his country. He was a joy to be with, and his service must always be remembered.

TRIBUTE TO JIM HENRY

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. TALENT. Mr. Speaker, I rise today to offer my congratulations to Jim Henry, a constituent of mine who was recently awarded the Small Business Administration's "1995 Small Business Person of the Year" award for the State of Missouri.

Ten years ago Mr. Henry left his job with Emerson Electric and bought R.C. Wilson Co., a small collection agency in St. Louis, MO. At the time Mr. Henry bought R.C. Wilson he had no small business experience or background, but he did have a can-do philosophy, which has helped him build one of the most successful collection companies in our city. Over the past 10 years, sales, employment, and clientele at R.C. Wilson have grown significantly. Sales have increased by 200 percent, while employment at R.C. Wilson have grown from 25 to 118. At the same time, his company's collection success rate is over 30 percent—higher than the 22 percent average for the industry.

Mr. Henry explains his success this way: "The way a business owner treats employees makes or breaks a business. The key to long-term success is to treat your employees with dignity and always maintain the highest level of integrity and honesty in all dealings." This attitude is reflected in the companies employee benefit policies. R.C. Wilson Co. has a generous tuition reimbursement program which enables many employees to continue their education through post-graduate levels. The company also provides an annual scholarship for Missouri Business Week to the child of one employee. The company also shares profits with its employees.

Mr. Speaker, I want to close by again offering Mr. Henry my congratulations on being

named the 1995 Missouri Small Business Person of the Year, and to wish him and the employees of R.C. Wilson Co. continued success.

HONORING VICE ADM. THOMAS J. KILCLINE, USN RETIRED

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. MORAN. Mr. Speaker, today I rise to pay tribute to Vice Adm. Thomas J. Kilcline, USN [Retired] on the eve of his retirement from his position as president of The Retired Officers Association. Because of his many accomplishments, I consider it appropriate to formally recognize him for his more than 50 years of service to this Nation.

Admiral Kilcline was born in Detroit, MI, on December 9, 1925. He enlisted in the U.S. Navy in 1943, graduated from the U.S. Naval Academy in 1949, and was designated a naval aviator in November 1950 after which he flew with VR-5 until 1953. Admiral Kilcline attended the Naval Postgraduate School and later Massachusetts Institute of Technology, where he earned a masters degree in aeronautical engineering in 1956.

He then joined Heavy Attack Squadron Nine, serving on the *Saratoga* and *Ranger*. In 1959, he was assigned to the staff of the commander Sixth Fleet. He completed the command and staff course at the Naval War College and in 1962 completed test pilot school. He was later assigned as coordinator of test programs for all attack aircraft at the Naval Air Test Center. In January 1965, Kilcline reported to Heavy Attack Squadron Eleven [VAH-11] aboard the *Forestall*. He commanded an RA5C squadron deployed to the Vietnam theater. He returned to the staff of the commander Naval Air Force, U.S. Atlantic Fleet in August 1967, and a year later was assigned as operations officer and later executive officer aboard the U.S.S. *Ticonderoga* [CVA-14] during operations off Vietnam. He then became program manager for acquisition and support of the RA-5C aircraft, Naval Air Systems Command. In October 1970, he was named director of liaison with the House of Representatives under the Navy Office of Legislative Affairs.

From August 1972 until May 1974, Kilcline was commanding officer, Naval Air Station, Patuxent River, MD. He was then assigned as director of aviation officer distribution, aviation captain detailee and later, assistant chief of Naval Personnel, Officer Distribution and Education. In August 1975, he assumed command of Naval Base Subic Bay with duties as commander in chief Pacific representative in the Philippines and commander U.S. Naval Forces, Philippines. He became chief, Legislative Affairs in February 1978 and in July 1981, was assigned as commander Naval Air Forces, U.S. Atlantic Fleet. He retired from the Navy in 1983.

His awards include the Distinguished Service Medal; the Legion of Merit with three gold stars; the Bronze Star; the Air Medal; and awards from the governments of the Philippines and the Republic of Vietnam.

Following retirement, Admiral Kilcline formed a military and congressional consulting firm

which he disestablished when he became TROA president in December 1986. Through his stewardship, The Retired Officers Association played a pivotal role in convincing Congress to enact several legislative initiatives to maintain readiness and improve the quality of life for all members of the military community—active, reserve and retired, plus their families and survivors. I won't describe all of his accomplishments, but will briefly focus on a few to illustrate the breadth of his concern for military people.

Under his direction, TROA supported strengthening the underpinning of the Montgomery GI Bill and thus provided a solid foundation for our Nation's future leaders by placing the wherewithal for a college education on the horizons of more than 1 million young men and women who otherwise might have been denied that opportunity. He was ever mindful of the adverse effects on morale and retention caused by broken commitments and inadequate compensation and forcefully championed the causes of fairness and equity. His leadership efforts to preserve the long-standing commitment to lifetime care in military health care facilities, to fight perennial threats to retiree cost of living adjustments and to provide adequate military pay raises are some of his other significant contributions. Most recently, he fought and won the battle for a transition plan that provides a comprehensive benefits package for those personnel and their families who are forced out of active service as a result of the force structure drawdown that, hopefully, is in its final stages.

One of Tom's added strengths has been his lovely wife of 44 years, the former Dornell Thompson of Pensacola, FL. Dornell has stood steadfastly at his side, championing the cause of military people, particularly their families and survivors, everywhere. For these contributions, we owe her a debt of gratitude, as well.

Tom and Dornell live in McLean, VA. They have had four children: Captain Tom, Jr., an F-14 pilot now in the Navy Chair at the National War College; Lieutenant Patrick, lost in an F-14 accident off the U.S.S. *Constellation*, Lieutenant Kathleen, a navy doctor killed in an auto accident; and Mary, wife of Commander Bob Novak, a P-3 pilot assigned as a program manager in the Naval Air Systems Command in Washington, DC.

I wish to extend my heartfelt appreciation for his numerous contributions to military people everywhere and my best wishes for continued success in all of his endeavors.

IN RECOGNITION OF THREE BAI- LEY ELEMENTARY SCHOOL RE- TIREES

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. BENTSEN. Mr. Speaker, I would like to recognize the longstanding service and dedication of three employees of the William F. Bailey Elementary School of Pasadena, TX, who will retire at the end of this month.

Bailey Elementary has provided an excellent education to the thousands of students that have passed through its doors in its 37-year history. Bailey was the first school to establish

the Right Choice Program, which teaches children that with everything there is a right and a wrong choice. It is the only elementary school with a choir, orchestra, and band in the Pasadena Independent School District. The entire staff at Bailey Elementary School works together with one goal in mind: To make every child a winner.

These three individuals, Patricia Ann Autrey Hawkins, Rebecca Faye Dorsett Buck, and Pauline Sophie Trojanowski Braden, have demonstrated their commitment to this goal and to the students of Bailey Elementary.

Mrs. Hawkins was born on July 22, 1938. Her parents devoted their lives to public education, spending over 75 years in the classroom or administration, so it was no surprise when Patricia attended Sam Houston State Teachers College and the University of Houston. She received her bachelor degree in education from Sam Houston in 1959. Her first teaching experience began with the Houston Independent School District, but she moved to Pasadena Independent School District after only one semester. She taught at Red Bluff Elementary for 5 years, before she and her family moved to Austin for her husband to complete his graduate studies. Mrs. Hawkins returned to Pasadena in 1969 and began her career again at Bailey Elementary School as a fourth grade teacher. She never left.

Mrs. Hawkins' dedication to education was not limited to the classroom, however. She remained active in the Texas State Teachers Association, the Pasadena Junior Forum, Delta Kappa Gamma, and First United Methodist Church. She served as a grade-level chairman and on numerous faculty committees at Bailey, and she was also honored with a Texas lifetime membership to the PTA. Mrs. Hawkins also found time to complete her own education, and she received her masters degree from Southwest Texas State Teachers College in 1965.

Mrs. Hawkins and her husband Sam have remained in the Pasadena area for over 30 years. Their children, Malcolm and Melissa, continue to live in Texas. Mrs. Hawkins will retire from Pasadena Independent School District and Bailey Elementary on May 29, 1995, after 31 years in public education.

Rebecca Faye Dorsett Buck was born on September 4, 1938, and moved to Houston at the age of 6. He graduated from Galena Park High School in 1956 and married her husband, Ronald Buck, in December 1957. Mrs. Buck waited until her three children, Ronald, Teresa, and Terrie, were in high school before she started to work in the Pasadena School District. She began in the visual handicap program in 1975, and after taking 1 year off, she returned to complete 19 years working at Bailey Elementary School, her latest position as a member of the office staff.

Mrs. Buck has also dedicated herself to activities outside the school, including the Central Baptist Church. She has a great talent for decorating and is very creative with arts, crafts, and floral arrangements. Mrs. Buck also spends a great deal of time entertaining her six grandchildren.

According to her coworkers and friends, Mrs. Buck goes out of her way to help anyone and treats everyone equally. She has maintained the respect and admiration of the faculty, administration, and students during her 19 years at Bailey.

Pauline Sophie Trojanowski Braden was born on February 6, 1931, in Sealy, TX. She

married Anton Otto Braden, Jr. in October 1948, and has 5 children, 10 grandchildren, and 1 great-grandchild. Mrs. Braden began working with Pasadena Independent School District in 1971, and will be retiring from the cafeteria staff of Bailey this year.

Mrs. Braden has lived in Pasadena since 1960. Currently three of her children and one grandchild live with her. Her daughter Cynthia said, in a tribute to her mother, that:

She would not hesitate to give anything she has to anyone of her family with no thought of asking for repayment. She comes from a large family and does not consider this living arrangement as cramped as some might think. I might even go as far to say she is happy because this is her family. Little does mother know she is giving up something which is totally unknown to her, and as of now it may never be known to her. That is total peace mind. And even if she was aware of what she might be missing, she would choose to give it up for her family anyway.

Mrs. Braden will be sorely missed for her warmth, dedication, and friendship to Bailey Elementary, its staff, and its students.

I congratulate Mrs. Hawkins, Mrs. Buck, and Mrs. Braden on their combined 73 years of service to the Pasadena School District and to the Pasadena community. I wish them the very best as they enjoy their retirement, and I am certain they all will be missed at Bailey Elementary.

ON THE OCCASION OF THE ALLI- ANCE FOR JUSTICE HONORING TOM STODDARD

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. WAXMAN. Mr. Speaker, on May 23, the Alliance for Justice—a coalition of organizations with a history of working for equal justice—honored Tom Stoddard for his long career. I want to take the opportunity to do so as well.

Now is precisely the right time to honor Tom Stoddard.

This Congress is dominated by politicians who would have us march backward and have us repeal the progress of the last 25 years, especially the ideals of equal justice.

But Tom embodies a different philosophy, one first said by Frederick Douglass: "Those who profess to favor freedom, and yet deprecate agitation, are men who want crops without plowing up the ground. If there is no struggle, there is no progress."

In that spirit, Tom has worked and struggled. For years after the Nation decided that race discrimination, sex discrimination, religious discrimination, and finally disability discrimination were all wrong—discrimination against gay men and lesbians is not just allowed, it is encouraged, it is joked about, it is expected.

Tom has worked against that, working for what the opposition calls "the special rights for gay people." He has worked for the "special right" to work if you are qualified; the "special right" to live in the privacy of your home with those you love; the "special right" to have families; the "special right" to speak your mind; the "special right" to serve your country;

and the "special right" to have photographs on your desk, to have picnics in public places, and to care for your friends who are sick. He has worked for the "special right" to be free and equal and unafraid in America.

Tom has done all this by speaking, teaching, advocating, organizing, and writing. He has been a model for young people who care about progress, and he has been a reminder for older people that not all justice has yet been done. Tom is the kind of American who has made the Nation make the quantum leap from thinking about gay civil rights as a fringe issue to gay civil rights as a fundamental issue.

The Alliance for Justice has made these leaps before, leading the Nation closer to liberty and justice for all. I am pleased to join with the Alliance in honoring Tom Stoddard as a pioneer in that fight, and as a man whose work has changed politics for the better and forever.

TRIBUTE TO 2D LT. WAYLAND E. BENNETT, USMC

HON. STEVE LARGENT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. LARGENT. Mr. Speaker, I rise today to pay tribute to 2d Lt. Wayland E. Bennett, a Marine Corps pilot who was commissioned on a training mission during World War II, but was only recently brought back to this country for burial. The story of his return is a remarkable tale of friendship and dedication and deserving of special recognition.

Mr. Bennett was a young man of 18 when he left home to join the war effort in the South Pacific. In 1943 he was commissioned a second lieutenant in the Marine Corps and was sent to a small island 1,200 miles northeast of Australia to complete his training and join the elite Black Sheep Squadron of fighter pilots. On October 22, 1943 his Corsair crashed into a jungle area of the island too dense and too dangerous to risk a patrol. The wreckage and Mr. Bennett's remains were considered by the military to be unrecoverable.

But the story doesn't end there, thanks in large measure to the devotion of Mr. Robert Bowden of Texarkana, TX. He refused to let his memories of his childhood friend end with a plane crash in the jungle. In 1988, he began a friendship with Dr. Dan Bookout, and together the two men decided to search for the wreckage. Enlisting family, friends, and strangers alike, Mr. Bowden and Dr. Bookout began to raise money and to organize an expedition to the South Pacific to scour the jungle for the plane.

Dr. Bookout led his teams of volunteer searchers on four trips to Vanuatu, the first in 1988. He made friends with and enlisted natives to aid in the searches. The team endured many hardships and dangers in the jungles, each trip bringing them nearer to their objective as they eliminated improbable sites. Then in March and April of 1994, local villagers assisting in excavating a crash site told the CILHI team that they knew of another crash site and led the CILHI team to this site. From April 2 to 5, 1994, the CILHI team conducted an excavation of this newly revealed crash site and recovered the remains tentatively identi-

fied as being those of 2d Lt. Wayland E. Bennett. The board appointed to review the matter after all tests were completed acted with characteristic military thoroughness and on August 23, 1994, confirmed positive identification of the remains as being those of 2d Lt. Wayland E. Bennett, USMC. Lt. Bennett's nearest survivors were so informed, and on September 16, 1994, 2d Lt. Wayland E. Bennett's remains were interred in the family plot in Texarkana, TX. Dr. Bookout continued to act as the Bennett family representative until the interment.

I know I speak for all Members of Congress when I say the selflessness and dedication of Mr. Bowden and Dr. Bookout deserves recognition. I hope you will join me in extending best wishes to them, as well as to the families of Lieutenant Bennett. I am proud that their efforts led to his return.

CATHOLICS UNDER ATTACK IN BANJA LUKA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. SMITH of New Jersey. Mr. Speaker, today I want to bring to the attention of my colleagues the deteriorating conditions in the region of Banja Luka in northern Bosnia. It seems the latest atrocities committed by Bosnian Serb militants, who control the area, are directed at Catholic Church leaders and Catholic believers, who are primarily Croats. These attacks come on the heels of Croatia's efforts to regain control over some of its territory occupied by the Croatian Serb militants since 1991. Around 40,000 Croats still live in northern Bosnia despite significant ethnic cleansing by the Serbs. An estimated 50,000 Croats and hundreds of thousands of Moslems have been expelled from this region alone during the past 3 years.

In one recent incident in Banja Luka, a priest and nun were reportedly doused with gasoline and set on fire in the parish rectory as militants blew up the parish church building next door. This tragic act of barbarity is part of a larger campaign directed against the Catholic community in the diocese of Banja Luka. On May 4, militants forcibly expelled nuns from two convents in the region. Since that time, a total of five churches and one monastery have been destroyed. In all, since the beginning of the war, 40 churches in the diocese have been completely destroyed and another 25 have sustained heavy damage.

The bishop of Banja Luka, Franjo Komarcia, has repeatedly called upon the Bosnian Serb leadership to stop the attacks. These pleas have fallen on deaf ears. Bishop Komarcia, in an open appeal, described the current situation in his diocese: "Fear and panic, for their lives, has overcome the Catholics remaining in the area because they are totally unprotected from the local and newly arrived Serbian extremists. They are virtually [sic] hostages and are faced with the real threat of immediate catastrophe or widespread banishment." Bishop Komarcia began a hunger strike recently to draw attention to the gravity of the situation faced by the Catholic community in Banja Luka. Late last week, an urgent appeal was sent to the head of the Serbian Orthodox Church urging his intervention to ensure the

protection of Catholics in the Serb stronghold. The senseless attacks in Banja Luka have been roundly condemned by Pope John Paul II.

Mr. Speaker, these tragic developments are but the latest examples of the campaign of death and destruction directed against innocent civilians by the Bosnian Serb militants in Banja Luka and elsewhere in Bosnia and Herzegovina.

TRIBUTE TO WILLIAM K. WATERS

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. REED. Mr. Speaker, I rise today to pay tribute to a gentleman who has dedicated his life to one of our Nation's most honorable and arduous professions: teaching. Mr. William K. Waters has been a social studies teacher at Park View Junior High School in Cranston, RI, for his entire 31 year tenure with the Cranston public school system. At the end of this school year, Mr. Waters will retire after his many years of teaching.

Mr. Waters first went to Park View as a student teacher while studying at Rhode Island College in 1963. The following year, he returned to Park View as a full-time social studies teacher. He quickly became immersed in this dynamic school, and soon his duties extended far beyond the classroom.

Mr. Waters has worked tirelessly with students on Park View's award winning yearbook for over 20 years. As the ninth grade class advisor for 28 years, Mr. Waters' encouragement and guidance instilled qualities of responsibility and leadership. However, Mr. Waters' legacy to Park View will be most remembered as advisor to the student council, a position he has held for 29 years.

Park View's student council has long been the envy of junior high schools throughout Rhode Island. The council's many longstanding traditions and services have benefited students, teachers, and the community. Students chosen by their peers to represent their class on the student council have managed school stores, a student handbook, all-school dances, the ninth grade dance, and fundraisers. Overseen by the always attentive and dedicated Mr. Waters, these were not merely student activities, they fostered a cooperative and active student body within the Park View community.

And for the students fortunate enough to serve on the council, it served as a life-long lesson. Someone believed that at their age they could be trusted with money, to carry out responsibilities, and to deliver results. Leadership and commitment are not easily learned, but Mr. Waters not only encouraged these, he expected them.

The student council's organizational skills and resources also benefited the local community. The Meeting Street Center, the Heart Association, the R.I. Lung Association, and Rhode Island's senior citizens have all come to recognize that Park View is not just another junior high school. At the same time, students were able to learn about life beyond the confines of classes, teachers, and friends.

Of course, none of this would have been possible had someone not taken on the enormous responsibility of going beyond the afternoon school bell. Junior high school teachers

are a rate commodity. They face challenges in the classroom that go far beyond textbooks, homework, and grades. Mr. Waters is a dedicated professional who went beyond the call of duty and always bestowed any credit to his students.

Mr. Waters has gotten to know many generations of young adults growing up in eastern Cranston. His guidance and devotion is demonstrated by the caliber of students who have graduated. Prepared academically when they graduated to high school, these young adults were also prepared to be role models and leaders for other students. Mr. Waters is an institution, and will always be fondly recalled by his students, their parents, and his colleagues.

Mr. Speaker, I ask my colleagues to join me in saluting Mr. Waters' service to Park View Junior High School and commend him as a teacher, an advisor, and a person. Mr. Waters is truly a role model for future teachers and students, and I would like to wish him continued success in retirement.

A TRIBUTE TO MARFA ON THE 40TH ANNIVERSARY OF THE MOVIE "GIANT"

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. BONILLA. Mr. Speaker, 40 years ago the town of Marfa, TX, joined with Hollywood to bring to life "Giant," the classic movie etched in the minds of so many Americans as a tale of trial and tribulation. This May 27, Marfa will have the pleasure of hosting a return engagement of this memorable classic with some of the original cast and crew joining in the celebration.

Many of us recall the family saga which features Hollywood greats Rock Hudson and Elizabeth Taylor. We especially remember James Dean, a young actor who was relatively unknown back in the summer of 1955 and had just finished filming another movie "Rebel Without a Cause."

Five years ago, Presidio County Judge Jake Brisbin came up with the idea to host a "Giant" reunion. Marfa Chamber of Commerce manager, Sheila Lujan and many others in the community have been very busy planning this exciting event. A few months ago, however, a fire swept through the Marfa City Hall, damaging the theater and dampening hopes that the reunion would take place. However, the people of Marfa didn't stop for a minute and now, their dream will become a reality.

The reunion will include a barbecue and look-alike contest at the Riata Ranch, a screening of "Giant" and a roundtable discussion on the famous movie. Robert Hinkle, who taught James Dean and actress Fran Bennett how to rope for the movie, will serve as a panelist.

Sponsored by the Marfa Chamber of Commerce, the Big Bend Quarterly, and the Cibola Creek Ranch, the 40th anniversary "Giant" reunion will truly be unforgettable.

"Giant" brought the spotlight to west Texas and showed America the culture and history of this unique area. The movie's plot helped define what Americans today perceive as the modern-day oilman. Many Marfans, too, still remember that long, hot summer 40 years ago

when Marfa took center stage and dozens of people from Hollywood descended upon the town.

This reunion will be another historic moment for Marfa. The citizens of Marfa have shown faith and resolve in putting together what is sure to be a grand event. Congratulations and good luck to the community of Marfa.

A TRIBUTE TO JOHN BUDD

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. FAZIO of California. Mr. Speaker, I rise to express my sincere condolences to the family of John Budd, the Regional Liaison for the Bureau of Reclamation's Mid-Pacific Regional Office in Sacramento, CA. John passed away on April 18. His loss is a tremendous blow to the Bureau and to the Federal service.

In many ways, John Budd was the Bureau of Reclamation in Sacramento. He was responsible for communicating the Bureau's policies, programs, and activities to congressional, State and local decisionmakers. He was the face that went with the Bureau.

John was always very helpful to me and my staff. John had a tremendous instinct when it came to seeing issues developing on the horizon. John was almost always the first person to give me a "heads up" on problems so we could deal with them before they reached the crisis stage.

John was a long-time Bureau employee. He joined the Bureau in 1965 as part of the construction crew for the San Luis Unit. Prior to his appointment as Regional Liaison, John was a repayment specialist responsible for negotiating and administering water service and repayment contracts for water deliveries from the Central Valley Project. John's fellow employees honored him many times during his years of service, perhaps most notably with the Department of Interior's prestigious Superior Service Award.

The formal accolades are important because they are the official markers of John's distinguished career. The real touchstone of John's career is the lasting impression he made on the lives of the people who surrounded him.

Mr. Speaker, I am glad to have had the opportunity to work with John Budd. We will all miss his professionalism, but more importantly, we will miss his friendship.

JOE PETERSON: TEACHER, SCHOLAR, VOLUNTEER

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. OBERSTAR. Mr. Speaker, in these days when we hear too many voices ask "What's in it for me?" It is always refreshing to hear of those who freely donate their time and efforts for the good of their fellow citizens—in other words, volunteers.

Volunteers can be found in every community. They are both male and female, of all races and faiths. They come from all walks of

life and from all economic strata, and they range in age from elementary students to senior citizens. However, these volunteers all have one attribute in common: they ask for no compensation other than the good feeling they got from helping their fellow citizens.

One such volunteer is Joseph Peterson, of Carlton, MN in my congressional district. Mr. Peterson is an amateur scholar in American history, particularly in the history of the Presidency. He is an amateur in the root sense of the word: he is a true lover of his chosen field of study.

Like all volunteers, Mr. Peterson does not hide his light under a bushel. He happily shares his knowledge of our Government and our Presidents with schools, churches, social groups, and libraries in Carlton County and throughout Minnesota. A democratic society relies on an educated electorate, and Joseph Peterson is one man in one American community who is doing what he can to inform, educate, and stimulate interest in our democratic process.

Mr. Speaker, I would like at this time to share with you and my colleagues a newspaper article about Mr. Peterson from the Cloquet Journal and a sampling of the letters I have received recognizing his activities in the community. I'm sure you will join me in recognizing the importance of this volunteer's contribution to our society.

[From the Cloquet Minnesota Journal]

PRESIDENTIAL BUFF CONTINUES HOBBY

(By Wendy Rockvam)

February is the month the nation traditionally honors its presidents. For one Cloquet resident, however, Presidents' Day is a year-round observance.

Joe Peterson, a presidential history buff whose pursuits have taken him to President Bush's State of the Union Address and President Clinton's Inauguration, has been interested in the lives of the presidents since he was in second grade. During that year, President Kennedy was assassinated, and Peterson put together a detailed report on it for his class at school. His teacher gave his efforts high praise, and thus began a lifetime interest in the presidential office and those who have held it.

Peterson's hobby has involved an extensive amount of reading and study as well as a vast amount of correspondence. He has received Christmas cards, birthday cards, and autographed photos of several presidents, and he is constantly on the lookout for presidential memorabilia of all sorts.

Peterson said he tries to view presidents as people rather than political figures and finds them all fascinating in their own respect. His personal favorites are Pierce ("He kept the same cabinet for all four years of his presidency") and Polk ("He was the only Speaker of the House to go on to become President").

He is also a collector of presidential trivia. "For example," he asked "did you know that there are only three states—Ohio, Nebraska, and Hawaii—that actually recognize all the presidents on President's Day? All the others honor only Washington and Lincoln."

"Another thing I've uncovered that most people don't know," he said, "is the fact that no left-handed president has ever been re-elected to office. President Clinton, by the way, is left handed. . . ."

BILLY GRAHAM

EVANGELISTIC ASSOCIATION,

Minneapolis, MN.

For many years Joe has researched and studied about our United States Presidents

and collected memorabilia which he has displayed at various functions. He prepared a small display here for our employees one President's Day as well as another on the July 4 Independence Day.

He is an unusual man who has done a service to others by reminding us of our government, our freedom and our history in this special way.

I hope you will be able to give him an opportunity to again show his collection.

Sincerely,

DORIS A. HORTON,
Director, Human Resources.

WASHINGTON ELEMENTARY SCHOOL,
Cloquet, MN.

I have known Joe Peterson for over ten years and during that time he has worked on a history of Washington Elementary School, talked in our Grade 4 classrooms on state symbols for Minnesota Day, and visited various classrooms discussing our presidents. His drive and enthusiasm are self evident in his thorough presentations.

Respectfully,

T.M. WALSH,
Principal, Washington Elementary School.

OUR SAVIOR'S LUTHERAN CHURCH,
Cloquet, MN.

Joe has done extensive work in researching the lives and accomplishments of our presidents. He deserves recognition.

Joe Peterson has also done much valuable work with the history of our congregation. He has articulate knowledge about each of the pastors, significant congregational members, and specific dates. He has also helped considerably in this work in the history of other congregations. He has put much time and effort into all of the above.

Sincerely,

DENNIS C. MORREIM,
Senior Pastor.

CLOQUET CO-OP CREDIT UNION,
Cloquet MN.

In our community, Joe has become quite a historian and was recognized just one week ago in our local newspaper for the historical work that he has done. Joe does outstanding work and is highly committed to the endeavor of becoming an expert on our past presidents. I write this letter to you on behalf of Joe Peterson and should you have any questions as to his reputation or work ethic, please by all means feel free to be in touch with me.

Sincerely,

DEL D. PREVOST,
President.

CARLTON COUNTY HISTORICAL SOCIETY,
Cloquet, MN.

Joe has been a member of our Society for a long time. He has done research on the presidents and other sources.

We have all gotten along very well with Joe and he is always willing to pass on help when he can.

Sincerely,

FERN M. OLSON,
KATHLEEN MONSON.

I have known Joe Peterson for about five years. He is a very nice young fellow, ambitious and always willing to give a helping hand.

He gave several programs at the senior center about the presidents. It was very moving to hear him talk about them. He knows where and when they were born, about their history and backgrounds. Then, a couple of months later, he put on one about their wives, which was very interesting also.

He's put on programs at several other places, too.

He is a very smart young fellow and well liked by everyone.

VIOLET I. LOMPNEY,
Duluth, Minnesota.

FAMILY DAY IN TENNESSEE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. DUNCAN. Mr. Speaker, recently the Tennessee General Assembly sent me a resolution declaring the last Sunday in August as Family Day in Tennessee. They asked for my support to make this a National day.

The parent/child relationship is one of the most important in our society. Children learn lessons at home which shape and guide their future. No one would dispute that a loving, supportive homelife would benefit any child.

As the family deteriorates, so does American society. We can readily see that many of the problems our Country now faces have coincided with the breakdown of the family. As a father of four, I appreciate the importance this legislation places on the worth of the family.

Unfortunately, Congress no longer considers legislation for commemorative days. While this rule will save hundreds of thousands of dollars in operating and staff time, it does not allow for the recognition of National days of importance, such as Tennessee's proposed National Family Day.

Therefore, I ask that the Tennessee General Assembly's resolution be printed in the CONGRESSIONAL RECORD so that my colleagues may benefit from such an eloquent and worthwhile memorial.

SENATE JOINT RESOLUTION No. 97

A Resolution Memorializing the United States Congress to establish a day of national observance in honor of the American family.

Whereas, One of the most trustworthy indicators of the health, strength and progress of a nation is the esteem in which the family is held; and

Whereas, Family strength, unity and respect cannot be purchased or fabricated, but comes to us instead when families are together and realize that through interaction they know love, trust and hope; and

Whereas, Life is special when we realize the worth of the family and its importance in all relationships; and

Whereas, The family is the center of our affections and the foundation of our American society; and

Whereas, No institution can take the family's place in giving meaning to human life and stability in our society; and

Whereas, It is fitting that official recognition be given to the importance of strengthening family life; now, therefore,

Be it resolved by the Senate of the ninety-ninth general assembly of the State of Tennessee, the House of Representatives concurring, That this General Assembly hereby memorializes the U.S. Congress to enact legislation establishing the last Sunday of August of each year as a day of national observance to be known as "Family Day" in order to focus attention and to confer honor upon the importance of the American family as the cornerstone of our society.

Be it further resolved, That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to the Honorable Bill Clinton, President of the United States, the Honorable Al Gore, Vice President of the

United States, and to each member of the Tennessee delegation to the U.S. Congress.

"CENTRAL PENNSYLVANIA BLASTS CLINTON"

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. SHUSTER. Mr. Speaker, last week, spokesmen from the Clinton administration took aim at the supposed pork in highway projects. But, as with other matters, they had a hard time with the truth. First, they confused the House rescissions bill with the historic 1991 Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA], a stunning error made by the former Budget Committee Chairman, Leon Panetta.

Then, they criticized 10 projects in my district as wasteful, claiming that the money would be better spent on building schools and training teachers. Wrong again. These projects are extremely worthwhile. Moreover, they are funded with transportation trust fund dollars, which by law cannot be spent on anything but highway construction and improvements.

The largest newspaper from my Ninth District of Pennsylvania, the Altoona Mirror, instantly and eloquently spoke up on this matter, with the following superb editorial:

ROUTE 220 IS NOT PORK

President Clinton is off-base in attacking highway projects in central Pennsylvania and especially in trying to label the completion of new route 220 as a pork project.

Few projects are as important to the economic health of central Pennsylvania and the safety of motorists than completing the limited-access highway link between Bald Eagle and interstate 80. Our region has already seen some benefits from the new highway between Bedford and Tyrone. Now we need the rest of the link to the State college/I-80 area.

Companies are locating in the Bedford, Blair, and Centre counties region because they know that new route 220 will give them easy access to the Pennsylvania turnpike and points south and to interstate 80 and the northern tier of States, including the metropolitan New York market.

It is unbelievable that our president could perceive such a vital link as a pork project. He accused Republicans in Congress of "caring more about pork than people."

Well, Mr. President, the northern leg of route 220 and the other road projects you attacked are being planned because they are about people, their safety, and their jobs. The other projects criticized by Clinton were the route 22 bypass of Hollidaysburg, the relocation of route 22 north of Lewistown and a new turning lane on route 36 in Roaring Spring.

We believe a legitimate need exists for all of these projects in terms of public safety, and we are glad that Representative Bud Shuster is working to bring these road improvements to fruition.

While we have seen disputes on the exact routing, we believe area residents generally agree that route 22 traffic creates hazards in the Hollidaysburg and Lewistown areas. And anyone who ever has been caught in traffic on route 36 doesn't think that a turning lane in Roaring Spring is pork.

Clinton said Thursday, "Special interest road projects—nine in one congressional district—are not as important as giving our

teachers the training they need to make sure our students reach world-class standards in education."

Wasn't this the president who came into office preaching about the need to repair America's infrastructure?

He apparently has forgotten about his promise. He also missed the boat on accuracy.

Money for the roads that Clinton attacked will come from a trust fund that can only be used for highway construction projects. The trust fund has about \$18 billion from special taxes on fuel, tires, and certain weights of trucks.

The money cannot be used to train teachers or build safe schools, as the administration alleges. If it isn't spent building and repairing highways and bridges, it just sits there doing nothing.

We urge area residents to tell Clinton that he is wrong in attacking the highway projects in central Pennsylvania and especially route 220, which will have a major impact on our economic future.

We need the highway link to I-80, and we should challenge anyone, including the president, who claims the road is just an unneeded and unwarranted "pork" project.

ANNIVERSARY CONGRATULATIONS

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. TORRICELLI. Mr. Speaker, I would like to take this opportunity to congratulate a special couple from my district who will celebrate a milestone wedding anniversary on June 19, 1995.

In these turbulent times, it is so wonderful to recognize Kay and Frank Purritano, a couple who have honored their vows to each other for 40 years. Family and friends will gather on June 3 in Albany, NY to wish them well.

Frank worked for over 30 years at Alleghany-Ludlum Steel before he retired. Kay has been a wonderful wife, mother and grandmother. She is extremely creative, is a gourmet cook and enjoys sewing and baby-sitting for her grandchildren.

The couple raised their five children, Debra, Francis, Jr., Joseph, Marie and Michael in New York but, after Frank retired, they moved to my district in New Jersey to be closer to their children and grandchildren. They are devoted parents and are the proud grandparents of seven, Laura, David, Scott, Anthony, Anastasia, Joseph and Nicholas.

It is an honor to commend this couple for their life together and to offer my best wishes for the years to come.

HONORING MICHAEL SCHENKLER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents of the Fifth Congressional District and many other citizens of New York as the Queens Council on the Arts celebrates its 29th anniversary by honoring the long-time Publisher of The Queens Tribune, Michael Schenkler.

Mr. Speaker, Mike Schenkler epitomizes a success story that stands as a shining example of dedication and achievement for the citizens of Queens County and its many communities. A product of the New York City schools, Mike first became involved in community affairs as a student at Queens College. Upon graduation, he began his professional career in the New York City school system, and quickly rose to the rank of principal.

In 1978, when I needed someone to take over the day-to-day operations of the community newspaper I had published, I was fortunate enough to lure Michael away from a career in education and introduce him to the world of journalism and small business. This was a move that would have a major impact not only on Mike's own career, but on the borough of Queens as well.

Mike departed from the school system and became totally immersed in the operation of The Queens Tribune, which quickly became the county's dominant weekly newspaper. In 1989, the Tribune merged with News Communications, Inc., and Michael rapidly rose to the rank of president and CEO of the newly formed company.

From his start in the private sector in a small storefront operation in Flushing, Mike Schenkler now runs a publishing empire that employs more than 300 people and publishes 23 different newspapers and magazines throughout the New York metropolitan area and in Washington, DC.

As the Queens Tribune grew, so did Michael's love for community, politics, the arts, economics, local sports and the many areas that join together to represent the dynamics of the borough of Queens.

Testimony for this dedication can be found every week on the pages of his newspapers, which cover all aspects of the Queens community. The annual Guide to Queens and the historical anniversary editions have highlighted the paper's ability to cover all the news.

The Queens Tribune is a living tribute to Michael Schenkler, his borough and the dynamic communities that thrive in Queens. The paper has received numerous journalism awards, including the New York Press Association Award for Mike's column, QUIPS. In 1994, Michael was named Businessman of the Year by the Queens Chamber of Commerce.

Mr. Speaker, Michael Schenkler is a true American success story: a successful businessman, a warm and caring individual, a person dedicated to his family. I am truly honored to consider him my friend.

I ask all my colleagues in the House of Representatives to join with me and the Queens Council on the Arts in extending our best wishes to Mike, his lovely wife, Lillian, and their two children, Lee and Allison, and in saluting Michael Schenkler for his energy, vision and tireless efforts on behalf of the people and the arts of the Borough of Queens.

HIGHLANDS TRAIL DEDICATION

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mrs. ROUKEMA. Mr. Speaker, I rise to call attention to the dedication of the Highlands Trail, which took place May 20 at Echo Lake in West Milford, NJ.

The Highlands are part of an ancient chain of mountains formed of Pre-Cambrian rock. This area has been widely recognized for its natural resources, especially water, wildlife and recreation, which are of great benefit to the dense populations of New Jersey and the New York metropolitan area.

The Highlands Trail is a result of a project initiated in 1993 by the New York-New Jersey Trail Conference, with technical assistance from the National Park Service's Rivers, Trails and Conservation Assistance Program. Assisting in the development of this exceptional trail were more than three dozen organizations, including the State of New Jersey and the counties of Passaic and Warren. All of these organizations are to be commended by the Congress for creation of this trail and their work to make more accessible to the people of our region a landscape of exceptional beauty and wilderness.

The Highlands area is a landscape of national significance but has been described as a hidden jewel in the emerald necklace of the Appalachian mountain chain.

The Highlands Trail is intended as the first of many trails in the Highlands region that will eventually be interconnected. When finished, the overall trail will stretch 150 miles, from the Hudson River at Storm King Mountain, NY, to the Delaware River at Phillipsburg, NJ. Marked by rugged slopes, narrow valleys and scenic ridge lines, the trail will link more than two dozen county, State and Federal parks, forests, historic sites and public open spaces. While the National Park Service will provide technical assistance, volunteer trail clubs and other community groups will conduct management and maintenance.

The New Jersey section being opened this weekend is 20 miles long. It offers breathtaking views of the Wanaque and Monksville reservoirs toward the Manhattan skyline 30 miles away. The route extends to the 35,000-acre Pequannock watershed wilderness, the source of Newark's water supply and home to numerous black bear.

I congratulate everyone involved in the creation of this magnificent trail. I am certain it will play a major role in helping preserve New Jersey's scenic outdoor culture for generations to come.

TRIBUTE TO CATHOLIC CHARITIES

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. VENTO. Mr. Speaker, I rise today to celebrate the success of a volunteer organization that has served the Twin Cities community since 1869. This year the Catholic Charities of the Archdiocese of St. Paul and Minneapolis is celebrating its 125th year providing social services to Twin Cities area residents in need.

Catholic Charities began with a commitment and desire to help the most vulnerable residents of the community, the children. In the late 1800's, events such as the Civil War and epidemics added to the already harsh pioneer life leaving many children without parents. Trying to do what they could to help, a group from Assumption parish in St. Paul organized a small orphanage to care for six Germanic

children who met this fate. Soon after its establishment, the facility was moved to accommodate more children, and it grew into what is now St. Joseph's Home for Children.

Catholic Charities has retained its focus on children throughout the years, yet at the same time, it has expanded to include other residents of the community in need of assistance. The organization runs emergency shelters and temporary housing facilities for homeless individuals and families. They operate job training programs to help people gain skills, find work, and become self-sufficient. They also help educate the broad community by distributing information and providing counseling on health issues such as AIDS, mental illness, and substance abuse. Catholic Charities acknowledges the diversity of the Twin Cities area by including programs to help immigrants and their families become and remain self-supporting. These and other programs help citizens in the Twin Cities community get back on their feet and enjoy a better quality of life.

Today, however, the fate of Catholic Charities and other similar organizations is uncertain. In a time when budgets are being cut and many social programs are on the chopping block, volunteer organizations like Catholic Charities will become an even more vital part of the Twin Cities community. Limiting both government and charitable organizations from helping the citizens of our community that are in need is a disastrous formula for both the Twin Cities and the nation.

For 125 years, the Catholic Charities of the Archdiocese of St. Paul and Minneapolis has supported the Twin Cities community, lending a helping hand to those in need. They not only give shelter, educational information, and training to the people they help, they give something even more powerful and important; they give them hope. Hope that they can build a better life and a secure future for themselves and their families. I am proud of the work that all of Catholic Charities' staff and volunteers do on a daily basis to make a difference in the lives of so many people. They have made our Twin Cities, St. Paul-Minneapolis, a strong foundation for families and especially people in need.

SKEPTICISM AND TERRORISM

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. CLAY. Mr. Speaker, this past weekend Pennsylvania Avenue was closed-off to protect the White House from terrorist bombs. Soon this body will deliberate legislation designed to restrict domestic terrorism in the wake of the Oklahoma City bombing. In the aftermath of such historic and tragic events there have been some sensational proposals about how we might prevent future acts of domestic terrorism. Mr. Speaker, I am concerned that some of the recommendations for deterring terrorism threaten to trample civil liberties. I believe it would be a serious mistake to jeopardize the rights and freedoms of all citizens in the name of preventing potential acts of madness. Our freedom is our greatest strength. I encourage my colleagues to remember this and commend you to consider the points raised in this St. Louis Post Dispatch editorial.

[From St. Louis Dispatch, April 25, 1995]

MAKING IT EASY TO HATE

Skepticism toward government—even a measure of cynicism—is a healthy thing in a democracy. It means people are on guard against an overreaching government. But something has been at work in recent years that goes beyond skepticism or mistrust. It comes down to hate, and in Oklahoma City, the nation has seen first hand what hate can do.

The various paramilitary groups that can be found in so many states, including Missouri, are cauldrons of distrust and suspicion in which hate is easily brewed. Some groups call themselves survivalists, others say they are militias, and all are proud to proclaim themselves patriots. Their credo is that the government is the enemy, and they must arm themselves against it. Under this paranoid scenario, everything the government does is intended to enslave people—income taxes, Social Security numbers and, above all, gun control.

If men want to dress up in battle fatigues and play soldier in the woods, that is harmless enough in itself. But things don't always stop there. For the drilling and the target practice to retain their allure, a threat must loom. It is, of course, the government, that large, impersonal force out there. However, until the attack comes, more immediate threats must be found so as to keep everyone alert and ready to hate. Jews or blacks, or both, usually suffice.

Self-appointed paramilitary groups that soon turn themselves into vigilantes are not new in American history. This surge, though, may owe its growth to that relatively new phenomenon known as hate radio, which unrelievedly preaches contempt of government and ridicule of those in power. President Bill Clinton took note of this disturbing development in Minneapolis Monday, reminding Americans that hate radio hosts' "bitter words can have bitter consequences."

This is not to say there is a cause-and-effect relationship between the anti-government propaganda of hate radio and what happened in Oklahoma City. Rather, hate radio provides the background music for extremists. Tell people often enough and long enough that their government can do no right and that the people in it are incompetent or dishonest or sinister, and eventually some of them will conclude that the government is a force for evil. Moreover, it is not difficult to find government excesses to cite as supporting evidence. In this way, a small group of unstable people, susceptible to the message of hate, decides to launch a pre-emptive strike, or take retaliatory action, against a government facility.

The risk now is that the country will overreact. The first impulse is to see all paramilitary groups that cavort in the woods as terrorists in training. The second is to think that constitutional rights must be jettisoned to combat the threat they pose. No one wants to make it easy for another Oklahoma City atrocity, but Congress should not give federal law-enforcement authorities the added powers Mr. Clinton has requested without careful thought.

Since the end of World War II, political dissenters, civil rights organizations, anti-war groups and even Earth Day organizers have been the target of government spying and disruption, always in the name of protecting society. Mr. Clinton wants to give law-enforcement agencies greater authority to place people and groups under surveillance on the basis of less evidence. If the tools the FBI and other agencies have now are inadequate, they should be strengthened, of course, but the bombing in Oklahoma City does not automatically mean they are.

The last thing Congress and the administration need to do is prove that the kooks are right.

THE SOUTHERN ILLINOIS CHILDREN'S CHOIR

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mr. POSHARD. Mr. Speaker, it is a distinct pleasure for me to take this opportunity to welcome the Southern Illinois Children's Choir to Washington, DC. In a time when children are experiencing especially tumultuous times in an all too violent world, the magnificent efforts which have produced this wonderful choral group are very much appreciated.

The 85 boys and girls from grades 4 through 8 who have auditioned and been accepted as part of the choir represent the southern Illinois communities of Alto Pass, Anna, Carbondale, Carterville, Cobden, DuQuoin, Elkhart, Gorham, Harrisburg, Herrin, Jonesboro, Makanda, Marion, Murphysboro, and Sparta. I am proud that many of these young people are residents of the 19th Congressional District which I represent.

The choir was organized only 5 years ago under the Southern Illinois University at Carbondale Youth Music Program. Its purpose is twofold. First, and foremost, it has been assembled for the musical enrichment of our children, and then for the enhancement of the musical life for all southern Illinoisans. In the short span of time of its existence, the choir has remarkably amassed a very impressive portfolio of performances, including the Southern Illinois University Opera Theatre, the Symphony Orchestra and Choral Union, as well as various conferences, education programs and concerts throughout the southern Illinois area. In addition, the Choir has sung in the State Capitol at Springfield, and appeared at the 1992 Illinois Music Educators All-State Conference. In 1993, the choir toured the southeast, performing at the Piccolo Spoleto Festival in Charleston, SC, and in 1994, they appeared on the Shepley Music and Art Series at Christ Church Cathedral in St. Louis where they presented the premiere performance of Gregg Smith's "Four Sandburg Songs."

The choir continues to impress audiences everywhere it performs. I am especially delighted and pleased that the 1995 tour of Southern Illinois Children's Choir includes a one week visit to the Nation's Capital June 9 through 16. The children's performances while in Washington will include singing a prelude to the morning worship service at the National Cathedral, and performances on the west steps of the Capitol as well as at the Lincoln Memorial. The tour will also include an excursion to historic, Colonial Williamsburg, VA, with a performance at the Bruton Parrish Church.

I heartily commend the choir and all who have contributed to its success—parents, directors and assistants. It is indeed gratifying that these children and their extraordinary musical talents exemplify what is best in the youth of today. They are certainly beacons of light for their families, friends and communities.

EATING DISORDERS INFORMATION
AND EDUCATION ACT**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1995

Mrs. SCHROEDER. Mr. Speaker, today I am introducing the Eating Disorders Information and Education Act, which provides outreach and education for the increasing number of people—primarily women and young girls—with eating disorders.

Eating disorders and self-induced vomiting, compulsive dieting, binge-eating and self-starvation regimes afflicting 7 million women and 1 million men, according to the National Association of Anorexia Nervosa and Associated Disorders [ANAD]. Their cause is complex, but studies have looked at genetics, environments, biochemistry and personalities. Certainly, there is a strong link between these disorders and the pressure to be thin in our society.

It is estimated that about 6 percent of those with serious cases die, and only 50 percent report being cured. While 86 percent report onset of the disorder by age 20, even those 10 years and younger are known to suffer from it.

Eating disorders typically last one to 15 years. Treatment is often expensive and long-term—\$30,000 or more a month for inpatient treatment and \$100,000 or more for outpatient care. Many find their insurance doesn't cover treatment.

Even though eating disorders are widespread, no State has an adequate program to combat them, and few schools have programs to educate youth about them, according to ANAD.

My bill helps address this lack of public knowledge. It amends the Public Health Service Act to establish a program providing information and education to the public on the prevention and treatment of eating disorders. That program would be carried out by the Center for Mental Health Services, which would also provide a toll-free public hotline offering information and referrals for prevention and treatment. The bill authorizes \$2 million for fiscal year 1996 and such sums as are necessary for fiscal years 1997 through 1998.

I was particularly moved by the story of Ellen Hart Pena, wife of our Transportation Secretary Federico Pena, in the April 10 issue of *People* magazine. She told of her more than 10-year struggle to break free of anorexia and bulimia. Only after long-term therapy did she end the cycle of starvation diets and bingeing and purging. I would like to include her story for the RECORD.

[Taken from *People* Magazine, April 10, 1995]

HITTING HER STRIDE

(By Ellen Hart Peña)

I remembered exactly the moment it began. It was January 1980, during my senior year at Harvard where I ran on the track team. My coach had suggested that I lose some weight over Christmas break to help me run faster, and I had worked out every day and gone from 132 to 123 pounds. But when I came back from vacation I had a really crummy workout, and the coach said it looked as if I were gaining back the weight.

That was the click. If he'd made the same comment to me a year earlier it probably wouldn't have had any effect. But I was just

four months from graduation and at a point where I was scared about being an adult, about being a woman and going out into the world. Until then, my life had been scripted and safe. Now there were changes happening I couldn't control. I was really hurt by the coach's remark and said to myself, "I'm never, ever going to be fat again."

Almost immediately, I began eating very little and spent all my free time running. But then I'd have this uncontrollable, demonic urge to eat ice cream, cookies, doughnuts—anything high-calorie. And I'd eat until I couldn't eat anymore. Afterward, I couldn't bear the thought that it would stay in me and turn into fat, so I'd have to purge. During the worst periods, I'd binge and purge four or five times a day, from the moment I woke up until I went to sleep. By April, I was down to 110, and I looked like a cadaver.

The purging was really painful, and it made me feel horrible, disgusting and wretched. I shared a campus dormitory suite with four other women, and when I went into the bathroom I'd lock the door and turn the water on to over the sound. But my roommates knew. One of them brought me library books on anorexia and persuaded my coach to make me see a counselor. It didn't help. I just sat there until the session was over. My mom found out that spring, and when I visited her in Albuquerque in April she arranged for me to see a family friend who was a psychiatrist. But in my family, people are private. No one was going to hear of my problem and say, "Enough is enough," and plunk me in treatment. Nobody in my family had ever seen a therapist, and when I stopped going after one visit, my mom and one of my sisters, who were the only ones who knew of my problem, didn't push me further. And I was still in denial and didn't think I needed a psychiatrist.

When I graduated in June I was very depressed, and it was difficult to be with people. I took a job teaching English and coaching soccer at a private boarding school in Colorado Springs but quit a year later when Nike offered to sponsor me as a runner. For the next four years, I tried to make a go as an amateur athlete, first in Boston, then back in Colorado. My eating improved a bit when I was training because I was happy. But whenever I got injured and couldn't run, I'd fall back into the bingeing and purging several times a day for weeks and months at a time. I was dehydrated, I was cold all the time, my hands would shake, and I would get headaches. And I had horrible nightmares that I would just eat and get bigger like this huge blimp.

Most people didn't know I had a problem. In relationships, I would pick men who wouldn't try to get too close to me. And I did a good job of hiding things. No one noticed when I didn't eat—I'd take just a couple of bites of what was on my plate and then mound it up all together so it didn't look like much. The bingeing and purging I'd do behind closed doors. But I was trying everything to control my problem. I learned to meditate, I prayed, I went to group and individual therapy and Overeaters Anonymous meetings. Either the techniques weren't right for me or I wasn't ready for them.

Sometimes I was actually sorry that the eating disorder wouldn't kill me, and I'd think, "Please, just let me out of this."

In February 1984, I met Federico at a race in Denver. I placed first among the women and, as mayor, he presented me with the award. I thought he was very down-to-earth and genuine, and we seemed to hit it off. But I couldn't imagine that anyone could like me if they knew about this horrible part of my life. When we started dating, I told him I had an eating problem and was working on it, but I made sure he didn't find out how bad it

was. Hiding it was actually pretty easy. Federico was working at least 15 hours a day, and after I started law school at the University of Colorado at Boulder in the fall of 1985 we couldn't spend that much time together.

Several months later I found a therapist who specialized in eating disorders, but I didn't begin to make progress until I started with yet another therapist in 1987. She helped me see how my eating was connected to my perfectionism and my need for control. I remember in grade school going into the bathroom and crying whenever my team lost because I felt I hadn't done enough to make us win. As the second oldest of eight children, I had been a caretaker growing up so I also didn't know how to ask for help. I felt like a failure acknowledging that I wasn't all that strong or capable, and I had been trying to escape those negative feelings by bingeing and purging. But as I began to deal with my fears, my confidence grew. I really believed I could get better, so when Federico proposed in 1987, I said yes.

We married in May 1988. I graduated law school the same month and took a job with a prestigious firm in Denver. Then the following October I learned I was pregnant. I never told Federico the full extent of my eating disorder, and now I didn't tell my obstetrician. For a while I was good about my eating, but before long I was bingeing and purging. Then, six months into my pregnancy, I began to have really significant contractions. That was the moment when I said, "Stop. You have to take care of your body, and your body is now carrying a baby." I'm absolutely convinced that if I hadn't been in therapy for a long time, I wouldn't have been able to turn the corner.

It wasn't easy. I would eat and feel so bloated, and then the old feelings would kick in—eating equals fat equals bad. Keeping in touch with my therapist in Boulder, I just had to take a leap of faith that it was really going to turn out okay. Amazingly I'm still okay. Through Nellia's birth that July and Cristina's birth 19 months later and all the stress of moving to Washington in 1993, my eating problem has not resurfaced. Even when I suffered a miscarriage that July, I knew I was strong enough to withstand the pain. I don't think the lost pregnancy was as real to Federico as it was to me, but when he asked me if I wanted to go back into therapy to help work through my sadness, I told him I had the tools now to deal with pain myself.

Although Federico had attended a few therapy sessions with me, we never had the 3-hour, tearful kind of talk about my illness you might expect because I was too afraid to reveal the depths of my disease. In fact, I don't think he truly understood how bad it was until last fall when I showed him an article I'd written for the "Road Runners Club of America" newsletter. I think he felt bad that he hadn't understood. My response was that he had done all I had allowed him to do, which was basically to stand by me.

I'm running and even competing again, for the first time I can run just for the enjoyment of it. I've also learned to manage my weight, which is now 125, without getting totally compulsive and weird. A couple of months ago I gained four or five pounds, but I just said, "Oh well, I'll have to be more thoughtful about food choices." That felt great. There are still times when I'm tempted to binge and purge, and I think, "Maybe just today . . ." But I'm strong enough to resist it. I'm not walking near that cliff again because going over the edge was my private hell. I can't go back.

MEDICARE BENEFICIARY
PROTECTION AMENDMENTS OF 1995

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. STARK. Mr. Speaker, I am pleased to introduce the Medicare Beneficiary Protection Amendments of 1995. I am joined by Mr. WAXMAN, Mr. ACKERMAN, Mr. COYNE, Mr. DELUMS, Mr. FOGLIETTA, Mr. GONZALEZ, Mr. KENNEDY of Rhode Island, Mr. MCDERMOTT, Mr. OLVER, Mr. PALONE, Ms. PELOSI, Mr. RANGEL, and Ms. WOOLSEY.

This legislation is designed to achieve what its title implies—to improve the protections provided to Medicare beneficiaries. This legislation is urgently and increasingly needed, for two chief reasons.

First, proposals are appearing that have as their focus the movement of more and more Medicare beneficiaries into managed care insurance products. Some proposals would push beneficiaries into health maintenance organizations. I support a less coercive approach, one that allows beneficiaries to determine the pace at which they move into HMO's. But either way, HMO's will continue to play a growing role in Medicare.

Second, an extensive survey of Medicare HMO enrollees and former enrollees, recently completed by the inspector general of the Department of Health and Human Services, documents several problem areas with Medicare HMO's. The inspector general's findings substantiate numerous complaints I have received from individual beneficiaries over the past few years.

It is clear that before Congress flings the Medicare doors wide open to managed care plans, we ought to act to prohibit managed care practices that are known to jeopardize beneficiary care. And we ought to act swiftly, because this is an area where an ounce of prevention is worth more than a pound of the cure.

The summary finding of the inspector general's report, I believe, captures very well the overall experience we are having with the service delivery of Medicare HMO's:

Generally, beneficiary responses indicated Medicare risk HMOs provide adequate service access for most beneficiaries who have joined. However, our survey results also indicated some problem areas: beneficiaries' knowledge of appeal rights, access and service to [end stage renal disease]/disabled beneficiaries, and inappropriate screening of beneficiaries health status at application.

Overall, Medicare beneficiaries are receiving adequate services, but serious problems exist with a significant number of enrollees, particularly among those enrollees who have the greatest health care needs. Some of the specific findings of the inspector general are:

[C]ompliance with Federal enrollment standards for health screening and informing beneficiaries of their rights appeared to be problematic.

Most beneficiaries reported timely doctor appointments for primary and specialty care, but some enrollees and disenrollees experienced noteworthy delays.

Perceived, unmet service needs and lock-in problems led 22% of disenrollees and 7% of enrollees to seek out-of-plan care.

Disabled/ESRD [end stage renal disease] disenrollees . . . reported access problems in several crucial areas of their HMO care.

In addition, the inspector general's survey found that:

16% [of enrollees] either planned to leave or wanted to leave [their HMO], but felt they could not, primarily for reasons of affordability.

The most troubling of the inspector general's findings is that:

66% of disabled/ESRD enrollees wanted to leave their HMOs.

I have no illusions that the "Medicare Beneficiary Protection Amendments of 1995" will completely alleviate all of these problems. In fact, I am hopeful that consumers, providers, and others will continue to offer suggestions as to how we can continue to improve the quality of care received by Medicare beneficiaries. Nonetheless, the remedies I am proposing today will take us a long way toward that goal.

In addition to providing specific responses to managed care practices that have created beneficiary access problems, this legislation provides a framework through which Medicare beneficiaries can make informed choices about their Medicare coverage options.

Too often today, while a beneficiary has the legal right to exit an HMO and return to traditional Medicare coverage, the inability to secure an affordable Medicare supplemental policy—a medigap plan—makes this a hollow option. As proposed in this legislation, the institution of a coordinated open enrollment process for Medicare beneficiaries will guarantee that the options we claim to provide to beneficiaries are actually open to them.

Central to the functioning of the coordinated open enrollment process—and to guaranteeing true choice for beneficiaries—is the beginning of attained-age pricing of medigap premiums. Attained-age pricing is the policy of raising medigap premiums as an enrollee gets older. In their report on medigap plans, Consumer Reports magazine described attained-age priced plans as hazardous to policyholders. I agree.

A comparison of the least expensive attained-age rated medigap plan versus the only community-rated medigap plan in California—using plan E for the comparison—showed that a typical Medicare beneficiary will pay \$3,360 more for the attained-age plan than the community-rated plan over his or her life. On top of being more expensive, this attained-age rated plan restricted access to a limited number of health care providers. The reason for the higher lifetime premium is that while the attained-age plan starts with a lower premium, the premium quickly rises as the beneficiary ages to well above the non-age-adjusted community rate.

The premium comparison follows:

MEDICARE SUPPLEMENTAL PLAN E
(Premiums as of May, 1994 for the California counties of San Diego, Orange, Los Angeles, San Bernardino, Imperial, and Riverside)

COMPARISON OF PREMIUMS OF ATTAINED-AGE MEDIGAP
PLAN VERSUS STANDARD MEDIGAP COMMUNITY-RATED
PLAN

Insurer and type of plan	Age of beneficiaries—			
	65–69 yrs. old	70–74 yrs. old	75–79 yrs. old	80+ yrs. old
Community-Rated Plan AARP/Prudential plan Standard "Medigap" No restrictions on accessing beneficiaries' providers of choice	\$957	\$957	\$957	\$957
Attained-Age Plan	780	1,080	1,260	1,380

COMPARISON OF PREMIUMS OF ATTAINED-AGE MEDIGAP
PLAN VERSUS STANDARD MEDIGAP COMMUNITY-RATED
PLAN—Continued

Insurer and type of plan	Age of beneficiaries—			
	65–69 yrs. old	70–74 yrs. old	75–79 yrs. old	80+ yrs. old
Blue Cross plan Medicare Select type Limited network of providers and restricted access to the limited network				
Cumulative difference in premiums of attained-age supplemental plan to community rated plan	–\$177 X 5 yrs	+\$123 X 5 yrs	+\$303 X 5 yrs	+\$423 X 5 yrs
Additional cost for a person living to the age of 85 who enrolls in an attained-age plan	–885	+615	+1,515	+2,115
				+3,360

Source: Senior World Newsmagazine, San Diego Edition, May, 1994, analysis conducted by the Office of Congressman Stark.

Because this legislation would accomplish the central goal of providing greater protections to Medicare beneficiaries, it has the endorsement of consumer and senior organizations. Two of the largest senior and consumer organizations made the following comments:

Congressman Stark's proposed Medicare Beneficiary Protection Amendments of 1995 will institute needed protections in the Medicare Select program * * * it also strengthens protections for Medicare beneficiaries in other managed care options.—Testimony of the National Committee to Preserve Social Security and Medicare before the Committee on Ways and Means Subcommittee on Health, February 10, 1995.

Consumers Union strongly supports the Medicare Beneficiary Protections Amendments of 1995. This Act would provide important protections for the Medicare beneficiaries who enroll in managed care plans, purchase Medicare Select policies, or purchase a medigap policy * * * [T]he protections will benefit tens of millions of senior citizens.—Consumers Union, May 8, 1995

I would like to complement my colleagues who are joining me today in introducing this bill. They have responded to the needs of their senior and disabled constituents—those who rely upon Medicare for their health insurance coverage. They have responded to the challenge to balance the goals of providing a broad range of coverage choices for Medicare beneficiaries while at the same time making sure that these choices do not place Medicare beneficiaries at risk.

I look forward to working with all my colleagues to move the Medicare Beneficiary Protection Amendments of 1995 forward. Due to the urgency of this issue, I hope we will not delay in taking up consideration of this legislation.

A summary of the bill follows.

MEDICARE BENEFICIARY PROTECTION
AMENDMENTS OF 1995—SUMMARY (5/19/95)

I. MEDICARE MANAGED CARE BENEFICIARY
PROTECTION PROVISIONS

A. Marketing standards

1. Plans could not market to beneficiaries on a door-to-door basis.

2. Plans could not require beneficiaries to attend an enrollment seminar and would be required to permit enrollment through the mail.

3. Commissions may not constitute the predominant source of compensation for agents.

4. To the extent an agent is compensated based upon a commission, the plan would be required to recover the commission if the

beneficiary disenrolled within 90 days after initial enrollment.

B. Due process requirements for providers in networks

1. Public notice would be required as to when applications by participating providers are to be accepted.

2. Descriptive information regarding the plan standards for contracting with participating providers would be required to be disclosed.

3. Notification of a participating provider of a decision to terminate or not renew a contract would be required not later than 45 days before the decision would take effect, unless the failure to terminate the contract would adversely affect the health or safety of a patient.

4. Notices would be required to include reasons for termination or non-renewal. Carriers would be required to offer providers receiving notification of termination or non-renewal an opportunity for review of the reasons, with a majority of those conducting the review to be peers of the provider that have contracts with the managed care plan.

5. The findings of such a review would be advisory and non-binding. Federal or State laws pertaining to the right of involved parties to appeal or seek recourse would not be superseded.

C. Standards for utilization review would be established by the Secretary

1. Individuals performing utilization review could not receive financial compensation based upon the number of certification denials made;

2. Negative determinations about the medical necessity or appropriateness of services or the site of services would be required to be made by clinically-qualified personnel;

3. Utilization review procedures would be required to be based on reasonable, current medical evidence and applied consistently across reviewers and developed in consultation with participating providers;

4. Plans would be required to provide to enrollees a written description of the utilization review requirements of the plan.

D. Centers of excellence: Plans would be required to demonstrate that enrollees have access to designated centers of excellence

1. According to standards developed by the Secretary, plans would demonstrate that enrollees with chronic diseases or who otherwise require specialized services would have access to designated centers;

2. The Secretary would designate centers that provide specialty care, deliver care for individuals with chronic diseases or other complex cases requiring specialized treatment. Such centers must meet standards established by the Secretary pertaining to specialized education and training, participation in peer-reviewed research, and treatment of patients from outside the facility's geographic area.

3. Recognition of trauma centers: The existing requirements that plans provide for reimbursement of services outside the plan's provider network where medically necessary and immediately required because of an unforeseen illness, injury, or condition would be clarified to include services provided by designated trauma centers.

4. Ob-Gyn Referral: Plans would be prohibited from requiring enrollees to obtain a physician referral for obstetric and gynecologic services.

E. Access to emergency medical care

1. Plans could not require pre-authorization for emergency medical care.

2. A definition of emergency medical condition based upon a prudent layperson definition would be established to protect beneficiaries from retrospective denials of legiti-

mate claims for payment for out-of-plan services.

3. Plans could not deny any claim for a beneficiary using the "911" system to summon emergency care.

4. Plans would be required to provide timely authorization for coverage of emergency services.

5. Plans would be required to reimburse fully emergency physicians for any services provided to beneficiaries in order to fulfill the requirements of the anti-dumping statute.

F. Deadline for responding to requests for coverage of services

1. Plans would be required to make a final determination within 24 hours;

2. Secretary would be required to establish an expedited process to review appeals of plan denials.

G. Nondiscriminatory service area requirements

1. In general the service area of a plan serving an urban area would be an entire Metropolitan Statistical Area (MSA). The Secretary could waive this requirement if the plan demonstrated that it could not develop capacity to expand to the entire MSA and that the plan's proposed service area boundaries to not result in favorable risk selection. The Secretary could not waive the requirement that the plan serve the central county of an MSA.

2. The Secretary could require a plan to contract with Federally-qualified health centers (FQHCs), rural health clinics, migrant health centers, or other essential community providers located in the service area if the Secretary determined that such contracts are needed in order to provide reasonable access to enrollees throughout the service area.

H. Contractors would be required to disclose information about physician payment

1. Information would be provided under the terms of the contract with the Health Care Financing Administration (HCFA).

2. Information would be made available to plan enrollees, or potential enrollees, upon request.

I. Intermediate sanctions on HMOs

1. Civil money penalties of up to \$25,000 for each violation that directly or indirectly adversely affects an individual enrolled in the plan.

2. Civil money penalties of up to \$10,000 for each week after the Secretary begins proceeding to terminate a contract.

3. A new formal process would be adopted through which HMOs could submit a corrective action plan for violations of the requirements. More severe penalties could be imposed on HMOs with previous deficiencies.

4. HMOs which fail to cooperate with PRO quality review and which fail to meet standards for appeals would be subject to existing intermediate sanctions and civil money penalties.

J. Amendments to Health Care Prepayment Plan under section 1833 (HCPPs)

1. The HCPP option would be restricted to organizations that could not qualify under section 1876 as an HMO such as the UMW and other union plans.

2. New requirements would be imposed on HCPPs: Solvency and marketing standards would be imposed; HCPPs would be required to meet the section 1876 standards for grievance procedures and physician incentive plan requirements, and would be subject to the section 1876 intermediate sanctions and civil money penalties.

3. The provision of the Social Security Amendments of 1994 which subjects HCPPs to the MediGap standards effective January 1, 1996 would be repealed.

4. A transition rule would be provided for beneficiaries enrolled in HCPPs which would not continue as a result of this provision.

K. Other beneficiary protections

1. An enrollee of an HMO receiving unauthorized out-of-plan treatment could not be charged more than what Medicare would have paid under fee-for-service rules.

2. Plans would be required to make arrangements for dialysis services for beneficiaries traveling outside the plan's service area.

L. Benefit package for section 1876 HMO plans

1. In addition to regular Medicare benefits, plans would be required to provide hospitalization and SNF coverage without the three-day stay requirement.

2. For Medicare covered services, plans may not impose cost-sharing other than nominal co-payments.

3. Limits on additional benefits (if any) must be fully explained and enrollees given reasonable notice that benefits are expiring.

4. Requirements to provide additional benefits to the extent that the plan's adjusted community rate is exceeded by the AAPCC payment would not change.

M. Plans would be required to provide information on provider credentials to enrollees and patient enrollees

N. A demonstration project on competitive rate-setting for Medicare risk contractors would be conducted

O. HMO outlier pool

An outlier pool would be created for HMOs with risk contracts to provide reinsurance for high-cost cases. The pool would be created by withholding a percentage of current payments.

P. PRO review

All section 1876 and section 1833 plans would be subject to PRO review.

II. MEDICARE SELECT PROVISIONS

The Medicare Select demonstration program would be amended:

A. Establish Federal oversight of Medicare Select

1. Secretary would establish standards for Medicare Select in regulation.

To the extent practicable the standards would be the same as the standards developed by the NAIC for Medicare Select plans. Any additional standards would be developed in consultation with the NAIC.

2. Medicare Select plans would generally be required to meet the same requirements in effect for Medicare risk contractors under section 1876: Community rating; prior approval of marketing materials; intermediate sanctions and civil money penalties; additional requirements added by this bill as described below.

3. If the Secretary has determined that a State has an effective program to enforce the standards for Medicare Select plans established by the Secretary, the State would certify Medicare Select plans. If the Secretary does not make such a finding with respect to a State, the Secretary would certify Medicare Select plans in that State.

4. Existing requirements for State-based standards and fifteen-State restriction would be repealed.

B. Benefit Requirements

1. Fee-for-service Medicare Select plans would offer either the MediGap "E" plan with payment for extra billing added or the MediGap "J" plan. Both have preventive benefits and adding extra billing benefits to "E" should not add cost given that network doctors should all accept assignment.

2. If an HMO or competitive medical plan (CMP) as defined under section 1876 offers Medicare Select, then the benefits would be

required to be offered under the same rules as set forth in Title III below. Such plans would therefore have different benefits than traditional MediGap plans.

III. MEDIGAP PROVISIONS

A. All MediGap policies would be required to be community rated.

B. MediGap plans would be required to participate in coordinated open enrollment.

C. The loss ratio requirement for all plans would be increased to 85 percent.

IV. COORDINATED OPEN ENROLLMENT

A. The Secretary would conduct an annual open enrollment period during which Medicare beneficiaries could enroll in any MediGap plan, Medicare Select, or an HMO contracting with Medicare.

1. Each MediGap plan, Medicare Select plan, and HMO contractor would be required to participate in the open enrollment system.

2. The Secretary would make available to beneficiaries information on MediGap and Medicare-contracting HMO plans.

B. Generally, except for cause, an enrollee could enroll, disenroll, or switch plans only during the annual open enrollment period, with the following exceptions:

During the first year of enrollment with a limited access plan (including HMOs and Medicare Select) the beneficiary could disenroll at the end of any calendar quarter and return to fee-for-service. During the second year, disenrollment could only occur mid-year at the end of the second calendar quarter. After the first two years, disenrollment could only occur during the open enrollment period;

There would be an exception for HMOs which the Secretary determines has reached capacity;

There would be an exception to individuals newly eligible for Medicare or who are new residents of the service area of a plan who could enroll on an open enrollment basis during the sixty-day period that begins thirty days before they become eligible or before they become a resident of the service area.

COMPREHENSIVE FETAL ALCOHOL SYNDROME PREVENTION ACT

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. RICHARDSON. Mr. Speaker, I am pleased to introduce the Comprehensive Fetal Alcohol Syndrome Prevention Act. Fetal Alcohol Syndrome [FAS] is the leading cause of mental retardation in the United States and is one of the most common birth defects to occur in our country. Diagnosis is rare prior to birth and there is no cure for FAS or Fetal Alcohol Effects [FAE], its less severe counterpart.

This disease is completely preventable, by simply avoiding alcohol during pregnancy, but the number of affected children is rising sharply. Recent studies indicate that the percentage of babies stricken by FAS has increased sixfold in the last 15 years.

The statistics are appalling: the disease affects 1 in 250 live births; 5,000 infants are born each year with the recognizable facial, physical and mental abnormalities caused by FAS; 50,000 babies are born annually with FAE, and suffer from learning disabilities, central nervous system damage, and physical disorders.

Not only are the emotional impacts of these diseases devastating, the costs associated

with treatment are very high: health care costs for one child stricken with FAS total \$44,000.

FAS and FAE strike without regard to race or economic status, but the rate of incidence is higher among certain groups; for instance, the rate is 30 times higher among Native Americans. This disease threatens to destroy whole generations on some reservations if stronger federal action is not initiated.

Surprisingly, much of the public is still unaware of the dangers of drinking during pregnancy. The medical community does not uniformly caution against alcohol consumption for pregnant women, and most medical schools do not provide curriculum on FAS prevention and detection.

This bill seeks to address each of these issues comprehensively. It requires the Department of Health and Human Services to close the gaps in our current efforts to prevent FAS and FAE by establishing a coordinating committee to streamline program development and eliminate duplicative research programs. The committee will develop professional practice standards and curriculum for health care providers, and will initiate a national public awareness program to outline the dangers of alcohol consumption during pregnancy. Finally, additional research will be conducted to aid detection and a cure for FAS so that future generations will not suffer from this debilitating disease.

This bill, as evidence by our bipartisan list of cosponsors, deserves the support of all Members, and I look forward to working toward its passage.

VIRGINIA R. SAUNDERS, 50 YEARS OF FEDERAL SERVICE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. HOYER. Mr. Speaker, I rise today to recognize Ms. Virginia Saunders, congressional document specialist at the Government Printing Office, for reaching 50 years of dedicated and enthusiastic Federal service on Friday, May 26, 1995.

Ms. Saunders was born Virginia R. Frisbie in Darlington, MD, on October 11, 1926. After working briefly at the Federal Bureau of Investigation, she came to the Government Printing Office on February 4, 1946, as a war service junior clerk typist in the division of public documents, stock section. Two years later, she was promoted to the division of public documents reference section. In February 1951, Ms. Saunders was promoted to indexing clerk and earned subsequent promotions in the same classification. In July 1958, she was promoted to library technician. Becoming a congressional documents specialist in April 1970, she was then promoted to supervisor of the congressional documents section in July 1974. In October 1983, Ms. Saunders assumed her current position of congressional documents specialist in the congressional printing management division, customer services.

Although one may not yet recognize the name of this outstanding GPO employee, the end product of her dedicated efforts is certainly familiar. Ms. Saunders has primary responsibility for the Congressional Serial Set, which is a compilation of all the House and

Senate documents and reports issued for each session of Congress. Dummy volumes establishing the format for each edition are prepared and assigned a serial number following each session of Congress. The actual books are produced by GPO's binding division, often as many as 100 volumes per set for each session of Congress. As a chronicle of events of the U.S. Congress over the years, the Congressional Serial Set is rivaled only by the CONGRESSIONAL RECORD. While the Serial Set records behind-the-scenes legislative activities for the United States, the CONGRESSIONAL RECORD reflects the "in session" proceedings. Distributed to the House and Senate libraries, the Archives, the Library of Congress, and depository libraries, the Congressional Serial Set joins the CONGRESSIONAL RECORD in offering students and historians a rich insight into the American system of government.

In late 1989, Ms. Saunders drew upon her in-depth knowledge of depository library program responsibilities in informing the Nation, and her then-43 years of GPO experience, to submit an employee suggestion regarding the appendix to the Iran Contra Report to Congress. She suggested that this 40-volume publication, which was printed as both a Senate and House report, be bound only once for the serial set volumes of House and Senate reports that are sent to depository libraries. She further suggested that the Schedule of Volumes, which is a listing of the bound volumes, contain a notation explaining the mission serial number volumes. The implementation of this suggestion resulted in a reduction of 13,740 book volumes to be bound, saving the Federal Government over \$600,000. In recognition of these efforts, she received GPO's top monetary Suggestion Award for that year. In ceremonies held on January 9, 1991, Ms. Saunders was awarded a Presidential letter of commendation under the Presidential Quality and Management Improvement Award Program. In his letter to Ms. Saunders, President Bush noted, "You have demonstrated to an exceptional degree my belief that Federal employees have the knowledge, ability, and desire to make a difference."

I know my colleagues and Ms. Saunders' family, friends, and coworkers join me in congratulating her on 50 years of exemplary Federal service.

CONGRATULATIONS TO THE SHELTER ISLAND HEIGHTS POST OFFICE

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. FORBES. Mr. Speaker, I rise today to praise the exceptional service provided by the Shelter Island Heights Post Office. For the past 115 years, the Shelter Island Heights Post Office has served the community with extreme dedication. I would also like to commend the Shelter Island ferry service which has provided the vital link between the mainland and Shelter Island. This ferry service has been at the heart of the Postal Service for the Shelter Island Heights community. With the help of this ferry service, the Shelter Island Post Office has been able to deliver over 1.5

million pieces of mail in 1989 alone. Excellence at the Shelter Island Heights Post Office has become the norm, not the exception.

If one looks at the leadership of the Shelter Island Heights Post Office it comes as no surprise that they have been able to maintain such high standards of service. The Shelter Island Heights Post Office is led by its Postmaster Heather L. Reylek, who has helped keep her post office unsurpassed by any other in the Nation. She exemplifies all of the qualities that one would hope and expect for in a community's postmaster which include her excellent understanding of community issues and how they affect her employees. Mr. Speaker, I ask that you join me in congratulating Postmaster Reylek on the excellent job she has done as postmaster of the Shelter Island Heights Post Office. With her as postmaster, the Shelter Island Heights community can no doubt expect its high standards of service to be continued.

On Saturday, June 3, 1995, the accomplishments of the Shelter Island Heights Post Office will be celebrated at the special pictorial cancellation ceremony. At this ceremony, a commemorative stamp of the ferry boat used in the Shelter Island Heights community since 1904 will be revealed to help illustrate the history of this community. I can think of no better way to celebrate these accomplishments than with the issuance of this ferry boat stamp. I ask the entire House of Representatives to join with me in congratulating the Shelter Island Heights Post Office for a job well done.

TRIBUTE TO JOE SLABBINCK

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to my good friend Joe Slabbinck who is being honored this evening by the Clinton Township Goodfellows. Joe is being named as a Goodfellow of the Year at a recognition dinner at the Fern Hill Country Club in Clinton Township, MI.

Joe is currently a Board member and has served in the past as president, vice-president, and secretary of the Clinton Township Goodfellows. He is also currently the president of the Tenth Congressional Democratic Committee. I have known Joe for many years and have had the fortunate opportunity to work with him on numerous occasions. Joe is a nuts and bolts kind of guy who always makes sure that projects stay on track. This is true in his role as a Goodfellow and as a Democrat.

After 30 years at Chrysler, his success at helping build world class quality cars is only surpassed by his success in building organizations dedicated to meeting people's needs. In addition to the Goodfellows, Joe has devoted time and energy to the Interfaith Center for Racial Justice as well as the Volunteer Services Committee of the United Community Service. His helpful attitude and relentless drive ensure that organizational goals are always achieved.

Taking an active role in one's community is a responsibility we all share, but few fulfill. Joe and his wife, Brenda, have dedicated much of their lives to this endeavor. I deeply admire their strong values and outstanding example

of civic involvement. Their time, talents, and energy are appreciated by all of us. I thank Joe and Brenda for their efforts and commend them for their good work.

I applaud the Clinton Township Goodfellows for recognizing Joe. He has provided outstanding leadership to the group and I know he is proud to be honored by the members.

The devotion the Goodfellows and Joe have displayed to their community is an inspiration. Their contributions are many and they deserve our gratitude for their compassion and work.

On behalf of the Clinton Township Goodfellows, I urge my colleagues to join me in saluting Joe Slabbinck.

INTRODUCTION OF THE FEDERAL MORTGAGE INSURANCE CORPORATION ACT OF 1995

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. WELLER. Mr. Speaker, I stand here today to introduce legislation that will allow many Americans—the low and middle income, first-time homebuyers and minorities—to embark on a venture that is inherently part of the American dream. The bill I am introducing—the Federal Mortgage Insurance Corporation Act of 1995—will give a helping hand to those who want to buy a home and make a better life for themselves and their families. Owning a home instills a sense of pride and responsibility and this bill will ensure that anyone in our society—not just the wealthy—can afford to buy a home here in the United States of America.

The purpose of this legislation is to establish a Government corporation to administer the highly successful single-family mortgage insurance program currently under the management of the Federal Housing Administration at the Department of Housing and Urban Development. Under a corporate structure, the single family program will be better equipped to respond more efficiently to the needs of Americans in pursuit of the dream of home ownership.

The Corporation will be run by a Board of Directors made up of experts in housing finance and leaders in community action whose neighborhoods have been well served by FHA over many years. The board will appoint a President who will run the day to day operations like any other president. The act relieves the Corporation of burdensome civil service restrictions and procurement requirements and provides paperwork reductions that can hamper the productivity and progress of the noblest of objectives that we undertake.

Also, like other corporations, the FMIC must carry on the FHA single family program tradition of being a self-sufficient enterprise. Congress can only appropriate funds for the FMIC to the extent that the Corporation has net income. Moreover, the Office of Federal Housing Enterprise Oversight will oversee the capitalization of the FMIC funds as well as the safety and soundness of its products.

The FMIC will also continue the successful mission of the FHA only more efficiently. The act will expand homeownership opportunities for those segments of the market that need it most: first time homebuyers, lower income

families, and minorities. The FMIC's greater flexibility will allow an even greater portion of this market to gain sorely needed access to capital and credit.

The Federal Mortgage Insurance Corporation act of 1995 will continue the successful public-private partnership of FHA. More families will be able to share in American dream of homeownership and it does not involve a subsidy from the government. This is exactly the kind of effective governance that the American people expect and deserve.

My legislation carries forward the message of the November 8 election: calling on us all to streamline and reduce bureaucracy and to do a better more efficient job, in this case promoting the basic American dream of homeownership.

CREDIT OPPORTUNITY AMENDMENTS ACT OF 1995

HON. BILL MCCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. MCCOLLUM. Mr. Speaker, today I am introducing legislation to fundamentally reform the Community Reinvestment Act of 1977 and to strengthen and clarify the enforcement of fair lending laws. CRA is one of the worst examples of runaway federal regulation on the books today. It is the number one regulatory burden for our depository institutions and compliance costs exceed one billion dollars a year.

When originally adopted, CRA was designed to stop redlining. Redlining is the practice of lenders refusing to make loans because of the racial composition of the neighborhood surrounding the property securing the loan. The enforcement of CRA quickly left its original purpose and turned toward credit allocation.

I strongly support efforts to eliminate redlining. The legislation I am introducing today includes redlining in the list of prohibited activities under the Equal Credit Opportunity Act and the Fair Housing Act. This makes it clear that we will not tolerate illegal discrimination in lending.

In adopting CRA in 1977, Congress did not anticipate there would be any additional burden on the banking industry. The Senate report accompanying CRA indicates that Congress believed that all the data needed to assure compliance was available and no new reporting or other paperwork would be required.

The enforcement of CRA by the federal banking regulators grew in complexity and burden throughout the years. In 1989, CRA was amended to add provisions requiring written evaluations and specific grades for institutions. This added further burdens for the industry and set us on the precipice of credit allocation.

Recently, the Clinton Administration completed a two year effort to rewrite CRA regulations. The new rules vastly expand the paperwork burdens for most banks. In addition, they complete the transition of CRA from prohibiting redlining to credit allocation. The new rules require regulators to measure bank performance on the basis of the total dollar amount and number of loans made to certain areas or groups. This is credit allocation, pure and simple.

Another concern with CRA is the enforcement mechanism. Under current law, performance under CRA is taken into account when a bank regulator is considering an application from an institution for a merger or other transaction. Consumer groups have used protests to pending applications to force institutions to commit credit to certain borrowers or areas. In some cases the institutions have been forced to make grants to the protesting groups.

Recently, the Clinton Administration has linked the enforcement of CRA with other fair lending statutes. This has placed the Justice Department in the position as an additional bank regulator. It also has further confused the question of what is required to comply with CRA and the fair lending laws. In addition, the Justice Department has begun using disparate impact analysis to attempt to prove lending discrimination. Disparate impact analysis is imported from employment law and relies solely on statistical data to prove discrimination. Importing this analysis into lending discrimination is inappropriate. First, we should not find discrimination without some element of intent. In addition, the statistics available present an incomplete picture of the lending decision.

The bill I am introducing today addresses these problems. It amends CRA to eliminate the current enforcement provisions and the requirements for written evaluations. It replaces these sections with a new requirement that institutions disclose their activities undertaken to meet the needs of the communities they serve and to make these disclosures available to the public.

The legislation amends the Equal Credit Opportunity Act and the Fair Housing Act to prohibit redlining. In addition, it limits the Attorney General's authority under the Acts to bring cases only on referral from the primary regulator. Finally, it limits the use of statistical data to prove discrimination to those cases where there is evidence of intentional discrimination.

Mr. Speaker, this bill will eliminate credit allocation by the federal bank regulators. It is tough on lenders that redline neighborhoods. Yet, it is fair by removing costly and unnecessary burdens from financial institutions. These burdens currently result in limiting the amount of credit available to our citizens and businesses.

HONORING VICE ADMIRAL THOMAS
J. KILCLINE, USN RET.

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 1995

Mr. MORAN. Mr. Speaker, today I rise to pay tribute to Vice Admiral Thomas J. Kilcline,

USN (Retired) on the eve of his retirement from his position as President of the Retired Officers Association. Because of his many accomplishments, I consider it appropriate to formally recognize him for his more than 50 years of service to this Nation.

Admiral Kilcline was born in Detroit, MI, on December 9, 1925. He enlisted in the United States Navy in 1943, graduated from the U.S. Naval Academy in 1949, and was designated a naval aviator in November 1950 after which he flew with VR-5 until 1953. Admiral Kilcline attended the Naval Postgraduate School and later Massachusetts Institute of Technology, where he earned a masters degree in aeronautical engineering in 1956.

He then joined Heavy Attack Squadron Nine, serving on the *Saratoga* and *Ranger*. In 1959, he was assigned to the staff of the Commander Sixth Fleet. He completed the Command and Staff Course at the Naval War College and in 1962 completed test pilot school. He was later assigned as coordinator of test programs for all attack aircraft at the Naval Air Test Center. In January 1965, Kilcline reported to Heavy Attack Squadron Eleven (VAH-11) aboard the *Forestar*. He commanded an RA5C squadron deployed to the Vietnam theater. He returned to the staff of the Commander Naval Air Force, U.S. Atlantic Fleet in August 1967, and a year later was assigned as operations officer and later executive officer aboard the *USS Ticonderoga* (CVA-14) during operations off Vietnam. He then became program manager for acquisition and support of the RA-5C aircraft, Naval Air Systems Command. In October 1970, he was named Director of Liaison with the House of Representatives under the Navy Office of Legislative Affairs.

From August 1972 until May 1974, Kilcline was commanding officer, Naval Air Station, Patuxent River, Maryland. He was then assigned as director of aviation officer distribution, aviation captain detailee and later, Assistant Chief of Naval Personnel, Officer Distribution and Education. In August 1975, he assumed command of Naval Base Subic Bay with duties as Commander In Chief Pacific Representative in the Philippines and Commander U.S. Naval Forces, Philippines. He became Chief, Legislative Affairs in February 1978 and in July 1981, was assigned as Commander Naval Air Forces, U.S. Atlantic Fleet. He retired from the Navy in 1983.

His awards include the Distinguished Service Medal; the Legion of Merit with three gold stars; the Bronze Star; the Air Medal; and awards from the governments of the Philippines and the Republic of Vietnam.

Following retirement, Admiral Kilcline formed a military and congressional consulting firm which he disestablished when he became

TROA president in December 1986. Through his stewardship, The Retired Officers Association played a pivotal role in convincing Congress to enact several legislative initiatives to maintain readiness and improve the quality of life for all members of the military community—active, reserve and retired, plus their families and survivors. I won't describe all of his accomplishments, but will briefly focus on a few to illustrate the breadth of his concern for military people.

Under his direction, TROA supported strengthening the underpinning of the Montgomery GI. Bill and thus provided a solid foundation for our Nation's future leaders by placing the wherewithal for a college education on the horizons of more than 1,000,000 young men and women who otherwise might have been denied that opportunity. He was ever mindful of the adverse effects on morale and retention caused by broken commitments and inadequate compensation and forcefully championed the causes of fairness and equity. His leadership efforts to preserve the long-standing commitment to lifetime care in military health care facilities, to fight perennial threats to retiree Cost of Living Adjustments and to provide adequate military pay raises are some of his other significant contributions. Most recently, he fought and won the battle for a transition plan that provides a comprehensive benefits package for those personnel and their families who are forced out of active service as a result of the force structure drawdown that, hopefully, is in its final stages.

One of Tom's added strengths has been his lovely wife of 44 years, the former Dornell Thompson of Pensacola, Florida. Dornell has stood steadfastly at his side, championing the cause of military people, particularly their families and survivors, everywhere. For these contributions, we owe her a debt of gratitude, as well.

Tom and Dornell live in McLean, Virginia. They have had four children: Captain Tom Jr., an F-14 pilot now in the Navy Chair at the National War College; Lieutenant Patrick, lost in an F-14 accident off the *USS Constellation*; Lieutenant Kathleen, a navy doctor killed in an auto accident; and Mary, wife of Commander Bob Novak, a P-3 pilot assigned as a program manager in the Naval Air Systems Command in Washington, D.C.

I wish to extend my heartfelt appreciation for his numerous contributions to military people everywhere and my best wishes for continued success in all of his endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 25, 1995, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 26

9:00 a.m.

Labor and Human Resources

Business meeting, to consider the nomination of Henry W. Foster Jr., of Tennessee, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service, Department of Health and Human Services; and the proposed Child Care and Development Block Grant Amendments.

SD-430

9:30 a.m.

Appropriations

Legislative Branch Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the General Accounting Office, and the Office of Technology Assessment.

SD-116

10:00 a.m.

Finance

Taxation and IRS Oversight Subcommittee

To hold hearings to examine S-Corporation reform and the home office deduction.

SD-215

JUNE 6

9:30 a.m.

Agriculture, Nutrition, and Forestry

Forestry, Conservation, and Rural Revitalization Subcommittee

To hold hearings on proposed legislation to strengthen and improve United States agricultural programs, focusing on resource conservation.

SR-328A

Appropriations

Defense Subcommittee

To hold closed hearings on proposed budget estimates for fiscal year 1996 for the Department of Defense, focusing on intelligence programs.

S-407, Capitol

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of the Interior.

SD-138

Energy and Natural Resources

Energy Production and Regulation Subcommittee

To hold hearings on S. 708, to repeal section 210 of the Public Utility Regulatory Policies Act of 1978.

SD-366

Finance

To hold hearings on the overstatement of the Consumer Price Index.

SD-215

2:00 p.m.

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings on democracy and the rule of law in Hong Kong.

SD-419

Joint Printing

To hold oversight hearings on the activities of the Government Printing Office (GPO).

1310 Longworth Building

JUNE 7

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the National Service and the Selective Service System.

SD-192

10:00 a.m.

Foreign Relations

Western Hemisphere and Peace Corps Affairs Subcommittee

To resume hearings on S. 381, to strengthen international sanctions against the Castro government in Cuba, and to develop a plan to support a transition government leading to a democratically elected government in Cuba.

SD-419

Judiciary

Youth Violence Subcommittee

To hold hearings to examine issues relating to welfare, illegitimacy and juvenile violence.

SD-226

JUNE 8

9:30 a.m.

Indian Affairs

To hold hearings on S. 436, to improve the economic conditions and supply of housing in Native American communities by creating the Native American Financial Services Organization.

SR-485

2:00 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold hearings to review the Forest Service reinvention proposal and the proposed National Forest planning regulations.

SD-366

JUNE 13

9:30 a.m.

Agriculture, Nutrition, and Forestry

Production and Price Competitiveness Subcommittee

To hold hearings on proposed legislation to strengthen and improve United

States agricultural programs, focusing on commodity policy.

SR-328A

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Defense, focusing on health programs.

SD-192

JUNE 15

9:30 a.m.

Agriculture, Nutrition, and Forestry

Production and Price Competitiveness Subcommittee

To resume hearings on proposed legislation to strengthen and improve United States agricultural programs, focusing on commodity policy.

SR-328A

JUNE 19

2:00 p.m.

Governmental Affairs

Post Office and Civil Service Subcommittee

To resume hearings on proposals to reform the Federal pension system.

SD-342

JUNE 20

9:30 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Defense, focusing on counternarcotic programs.

SD-192

JUNE 22

9:30 a.m.

Indian Affairs

To hold joint hearings with the House Committee on Resources Subcommittee on Native American and Insular Affairs on S. 487, to amend the Indian Gaming Regulatory Act.

SR-485

JUNE 27

9:30 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Defense.

SD-192

JUNE 28

9:30 a.m.

Indian Affairs

To hold hearings on S. 814, to provide for the reorganization of the Bureau of Indian Affairs.

SR-485

POSTPONEMENTS

MAY 25

10:00 a.m.

Finance

Social Security and Family Policy Subcommittee

To hold hearings to examine the financial and business practices of the American Association of Retired Persons (AARP).

SD-215